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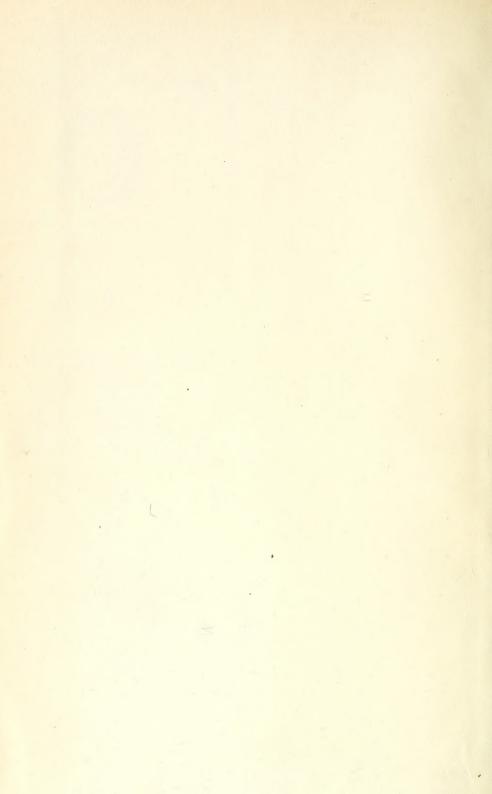
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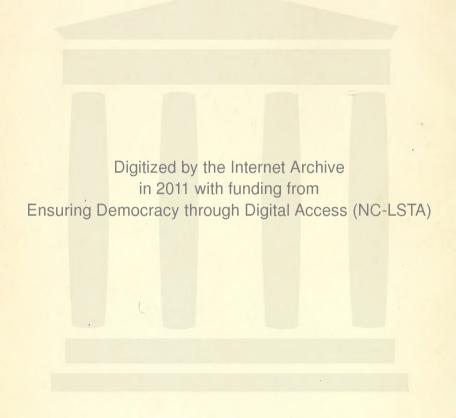
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## JOURNAL

of the

## HOUSE OF REPRESENTATIVES

of the

GENERAL ASSEMBLY

of the

STATE OF NORTH CAROLINA

SESSION 1933

RALEIGH, N. C. EDWARDS & BROUGHTON COMPANY STATE PRINTERS 1933

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# HOUSE OF REPRESENTATIVES

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GENERAL ASSEMBLY

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### OFFICERS AND MEMBERS

### of the

# HOUSE OF REPRESENTATIVES

### SESSION 1933

R. L. Harris, Speaker	Roxboro, Person County
Thad Eure, Principal Clerk	
JOHN H. McKinnon, Reading Clerk	Lumber Bridge, Robeson County
Miss Rosa B. Mund, Engrossing Clerk.	Concord, Cabarrus County
C. M. Higgins, Sergeant-at-Arms	Salisbury, Rowan County

#### REPRESENTATIVES

Name		POSTOFFICE	County
J. W. GILLIAM, JR.	(D)	Altamahaw	Alamance
JOHN F. WOODFIN	(D)	Hiddenite	Alexander
R. A. DOUGHTON		Sparta	Alleghany
F. E. THOMAS	(D)	Wadesboro	
T. C. Bowie	(D)	West Jefferson	Ashe
W. G. Oaks		Elk Park	Avery
W. A. THOMPSON		Aurora	
C. W. SPRUILL		Windsor	
C. L. Braddy		Council	
J. W. Ruark		Southport	Brunswick
Julius C. Martin		Asheville	
W. A. SULLIVAN		Asheville	
Francis Garrou		Morganton	
CHARLES H. GRAEBER		Kannapolis	
F. H. Coffey		Lenoir	
L. L. Stevens		Indiantown	
LUTHER HAMILTON		Morehead City	
ROBT, T. WILSON.		Yanceyville	
HERBERT L. ARNDT		Conover	
VICTOR R. JOHNSON		Pittsboro	
G. W. Cover, Jr.		Andrews	
W. J. BERRYMAN		Edenton.	
GLOVER P. LEDFORD		Hayesville	
ERNEST A. GARDNER		Shelby	
W. AVERY THOMPSON		Hallsboro	
G. A. BARDEN		New Bern	
W. C. EWING		Fayetteville	
James A. Taylor		Maple	
R. Bruce Etheridge		Manteo	
HUBERT E. OLIVE		Lexington	
B. C. Brock		Mocksville	
H. D. WILLIAMS		Kenansville	
R. O. EVERETT		Durham	
S. C. Brawley		Durham	
W. W. EAGLES		Macclesfield	
NAT S. CREWS		Winston-Salem	
ALLISON JAMES		Winston-Salem-	

### REPRESENTATIVES—Continued

Name	Postoffice	County
R. M. Cox(D	) Winston-Salem	Forsyth
W. L. Lumpkin (D		Franklin
R. G. CHERRY (D		Gaston
P. C. Froneberger (D		Gaston
G. D. GATLING (D		Gates
R. B. Morphew. (D		Graham
CLAUDE W. ALLEN(D.		Granville
		Granville
J. C. MOYE(D		Guilford
THOS. TURNER, JR(I		Guilford
TRACY MOORE(E		
r. C. Hoyle, Jr(I		Guilford
R. HUNTER POPE (I		Halifax
F. M. TAYLOR(I		Halifax
ROBT. YOUNG(I		Harnett
HARDIN HOWELL (L		Haywood
ED R. RAY(I		Henderson
, N. Vann(I		Hertford
AURIE McEachern (I		Hoke
George E. Davis(I		Hyde
O. E. TURNER(I		Iredell
DAN TOMPKINS(I	) Sylva	Jackson
PRESTON WOODALL(I	) Benson	Johnston -
C. GILBERT GRADY(I	)   Four Oaks	Johnston
R. P. BENDER (I	) Pollocksville	Jones
O. P. MAKEPEACE(I	) Sanford	Lee
ROBT. H. ROUSE(I	) Kinston	Lenoir
W. H. Sigmon(D	) Denver	Lincoln
CHARLES L. INGRAM(D	) Franklin	Macon
. H. Sprinkle(R	) Marshall	Madison
C. SMITH(I	) Robersonville	Martin
W. W. NEAL(D		McDowell
H. L. TAYLOR (U		Mecklenburg
Basil M. Boyd(I		Mecklenburg
OE GARIBALDI (E		Mecklenburg
CIPTON S. GREENE (R		Mitchell
O. A. Monroe (F		Montgomery
Angus B. Cameron(I		Moore
O. B. Moss(I		Nash
Van S. Watson(I		Nash
L. CLAYTON GRANT(I		New Hanover
Harriss Newman (I		New Hanover
R. Jennings White(I		Northampton
OHN D. WARLICK(I		Onslow
S. M. Gattis, Jr(I		Orange Pamlico
ULIUS G, DEES(I		
W. T. CULPEPPER(I		Pasquotank
R. G. JOHNSON (I	,	Pender
V. T. Brown(I	,	Perquimans
R. L. HARRIS(I		Person
ACK Enwarns(D		Pitt
E. G. Flanagan(I		Pitt
J. S. Massenburg (I		Polk
Nerius C. English(I	) Trinity	Randolph
D. EMERSON SCARBOROUGH(I	) Rockingham	Richmond
Marshall A. Thompson(I	) Maxton	Robeson
Ernest Graham(I		Robeson
Mrs. Lily M. Mebane(I		Rockingham

#### REPRESENTATIVES—Continued

Name		Postoffice	County
T N D	(D)	M- F	Darking kan
H. N. BINFORD		Madison	
J. W. BEAN		Spencer	
Clarence Griffin		Forest City	
Dr. J. M. Lee		Newton Grove	
O. L. McLauchlin		Wagram	
J. A. Groves		Albemarle	
ALBERT R. PHILLIPS		Dalton	
C. H. HAYNES		Mt. Airv	
J. P. RANDOLPH		Bryson City	
M, W. Galloway		Brevard	
C. W. Tatem		Columbia	
R. F. BEASLEY		Monroe	
D. S. FALKNER		Henderson	
V. Brantley Womble		Raleigh	
Charles B. Aycock			
Dr. S. E. Douglass		Raleigh	
A. Dowtin		Warrenton	
C. E. MIZZELL		Roper	
ROBY T. GREER		Blowing Rock	
THOMAS O'BERRY		Goldsboro	
J. R. Aycock		Fremont	
Charles H, Cowles.		Wilkesboro	
F. W. Boswell		Wilson, R. F. D.	
F. R. EATON		Yadkinville	
CHARLES HUICHINS		Burnsville	

### HOUSE JOURNAL

### SESSION 1933

#### FIRST DAY

House of Representatives, Wednesday, January 4, 1933.

Be it remembered that the Constitution of the State of North Carolina fixes the date for the meeting of the General Assembly of North Carolina as being on the Wednesday after the first Monday in January, biennially, the date for this meeting being January 4, 1933;

This day, in compliance with the provisions of the Constitution, the Members Elect of the House of Representatives assemble in their Hall in the City of Raleigh and at twelve o'clock, noon, are called to order by Honorable Thaddeus Armie Eure, Principal Clerk of the last House.

Prayer is offered by Dr. F. S. Love, Presiding Elder of the Raleigh District of the Methodist Episcopal Church, South.

The roll is called and the following Members Elect answer to their names and appear with the proper certificates of election and take and subscribe to the following prescribed oath of office, which is administered by Chief Justice Walter P. Stacy, of the Supreme Court.

"We and each of us do solemnly and sincerely swear that we will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers which are, or may be, established for the Government thereof, and that we will endeavor to support, maintain and defend the Constitution of said State not inconsistent with the Constitution of the United States, to the best of our knowledge and ability; and that we will faithfully discharge our duties as Members of the House of Representatives to the best of our ability; so help us, God."

#### MEMBERS OF THE HOUSE OF 1933

Alamance—J. W. Gilliam, Jr. Alexander—John F. Woodfin. Alleghany—R. A. Doughton. Anson—F. E. Thomas. Ashe—T. C. Bowie. Avery—W. G. Oaks. Beaufort—W. A. Thompson. Bertie—C. W. Spruill. Bladen—C. L. Braddy. Brunswick—J. W. Ruark. Buncombe—Julius C. Martin. Buncombe—W. A. Sullivan. Burke—Francis Garrou. Cabarrus—Charles H. Graeber.

Caldwell—F. H. Coffey.
Camden—L. L. Stevens.
Carteret—Luther Hamilton.
Caswell—Robert T. Wilson.
Catawba—Herbert L. Arndt.
Chatham—Victor R. Johnson.
Cherokee—G. W. Cover, Jr.
Chowan—W. J. Berryman.
Clay—Glover P. Ledford.

Cleveland-Ernest A. Gardner.

Columbus—W. Avery Thompson.

Craven-G. A. Barden.

Cumberland-W. C. Ewing.

Currituck—James A. Taylor.

Dare-R. Bruce Etheridge.

Davidson—Hubert E. Olive.

Davie-B. C. Brock.

Duplin-H. D. Williams.

Durham—R. O. Everett.

Durham—S. C. Brawley.

Edgecombe—W. W. Eagles.

Forsyth—Nat S. Crews.

Forsyth—Allison James.

Forsyth-R. M. Cox.

Franklin-W. L. Lumpkin.

Gaston-R. G. Cherry.

Gaston—P. C. Froneberger.

Gates—G. D. Gatling.

Graham—R. B. Morphew.

Granville-Claude W. Allen.

Greene—J. C. Moye.

Guilford—Thomas Turner, Jr.

Guilford—J. Tracy Moore.

Guilford-T. C. Hoyle, Jr.

Halifax—R. Hunter Pope.

Halifax—F. M. Taylor.

Harnett-J. Robert Young.

Haywood-J. Hardin Howell.

Henderson—Ted R. Ray.

Hertford-J. N. Vann.

Hoke—Laurie McEachern.

Hyde—George E. Davis.

Iredell—D. E. Turner.

Jackson—Dan Tompkins.

Johnston-Preston Woodall.

Johnston-C. Gilbert Grady.

Jones-R. P. Bender.

Lee-0. P. Makepeace.

Lenoir-Robert H. Rouse.

Lincoln-W. H. Sigmon.

Macon-Charles L. Ingram.

Madison-J. H. Sprinkle.

Martin-J. C. Smith.

McDowell-

Mecklenburg-H. L. Taylor.

Mecklenburg-Basil M. Boyd.

Mecklenburg-Joe Garibaldi.

Mitchell-Tipton S. Greene.

Montgomery-D. A. Monroe.

Moore-Angus B. Cameron.

Nash-O. B. Moss.

Nash-Van S. Watson.

New Hanover-L. Clayton Grant.

New Hanover-Harriss Newman.

Northampton-R. Jennings White.

Onslow-John D. Warlick.

Orange-S. M. Gattis, Jr.

Pamlico-Julius G. Dees.

Pasquotank-W. T. Culpepper.

Pender-R. G. Johnson.

Perquimans-W. T. Brown.

Person-R. L. Harris.

Pitt-Jack Edwards.

Pitt-E. G. Flanagan.

Polk-J. S. Massenburg.

Randolph-Nerius C. English.

Richmond-D. Emerson Scarborough.

Robeson-Marshall A. Thompson.

Robeson-Ernest Graham.

Rockingham-Mrs. Lily M. Mebane.

Rockingham-H. N. Binford.

Rowan-Walter Murphy.

Rowan-J. W. Bean.

Rutherford-Clarence Griffin.

Sampson-Dr. J. M. Lee.

Scotland-D. L. McLauchlin.

Stanly-J. A. Groves.

Stokes-Albert R. Phillips.

Surry-C. H. Haynes.

Swain-J. P. Randolph.

Transylvania-M. W. Galloway.

Tyrrell-C. W. Tatem.

Union-R. F. Beasley.

Vance-O. S. Falkner.

Wake-W. Brantley Womble.

Wake-Charles B. Aycock.

Wake-Dr. S. E. Douglass.

Warren-J. A. Dowtin.

Washington—C. E. Mizzell.
Watauga—Roby T. Greer.
Wayne—Thomas O'Berry.
Wayne—J. R. Aycock.
Wilkes—
Wilson—F. W. Boswell.
Yadkin—T. R. Eaton.
Yancey—Charles Hutchins.

It appears that a quorum of all the members are present and the Clerk announces that the first order of business is the election of a Speaker, and declares that nominations are in order.

#### ELECTION OF OFFICERS

For Speaker, Mr. Hamilton of Carteret, places in nomination Mr. R. L. Harris, of Person County, which is seconded by Mr. Turner, of Guilford. The roll of the House Members is called.

Those voting for Mr. Harris are: Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Polk, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young-116.

Mr. Harris having received the total number of votes cast, is declared duly elected Speaker of the House of Representatives, is escorted to the Chair by Messrs. Moss, Tatem and Cherry, taking his several oaths of office, administered by Chief Justice Walter P. Stacy, of the Supreme Court of North Carolina, assumes the duties of the Chair and announces that nominations are in order for the Principal Clerk of the House.

For Principal Clerk of the House, Mr. Johnson of Pender places in nomination Thad Eure, of Hertford County, and Mr. Vann seconds the nomination.

The roll of the House Members is called.

Those voting for Mr. Eure, are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner

of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young—117.

Mr. Eure having received all of the votes cast, is duly elected Principal Clerk of the House of Representatives, and takes his oath of office, administered by Mr. Speaker Harris.

For Reading Clerk of the House, Mr. Graham of Robeson places in nomination John H. McKinnon, of Robeson County, and Mr. Thompson of Robeson, seconds the nomination.

The roll of the House Members is called.

Those voting for Mr. McKinnon are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young-117.

Mr. McKinnon having received all of the votes cast, is declared duly elected Reading Clerk, and takes his oath of office.

For Engrossing Clerk, Mr. Johnson of Pender places in nomination Miss Rosa B. Mund of Cabarrus County, and Mr. Haynes of Surry seconds the nomination.

The roll of the House Members is called.

Those voting for Miss Mund are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young-117.

Miss Mund having received all of the votes cast, is declared duly elected Engrossing Clerk, and takes her oath of office.

For Sergeant-at-Arms of the House, Mr. Flanagan of Pitt places in nomination C. M. Higgins of Rowan, and Mr. Moss of Nash seconds the nomination.

The roll of the House Members is called.

Those voting for Mr. Higgins are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young-117.

Mr. Higgins, having received all of the votes cast, is declared duly elected Sergeant-at-Arms, and takes his oath of office.

#### MESSAGE FROM THE SENATE

The following message is received from the Senate:

SENATE CHAMBER, January 4, 1933.

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body with the information that the Senate has completed its organization and is now ready to proceed with the public business, and for your further information, you are advised that the following officers have been duly elected:

President Pro Tempore—W. G. Clark. Principal Clerk—LeRoy Martin. Reading Clerk—B. Fritz Smith. Sergeant-at-Arms—John D. Norton.

#### Respectfully,

LeRoy Martin, Principal Clerk.

#### MESSAGE FROM THE GOVERNOR

The following message is received from the Governor of North Carolina, Honorable O. Max Gardner, which accompanies a Joint Resolution of the United States Congress:

Mr. Speaker, and Members of the House of Representatives:

I have the honor of transmitting a copy of a Joint Resolution of Congress proposing an Amendment to the Constitution of the United States, fixing

the commencement of the term of President, Vice President, and Members of Congress, and fixing the time of the assembling of Congress.

For many years the long delays in needed legislation and prompt administration have caused thoughtful Statesmen to urge a change in the fundamental laws so that less time would intervene between the election of and the inauguration of a new President and a new Congress. Several times one branch of Congress has voted to submit such an amendment to the States, only to have a reform stayed in the other branch. The Senate of the United States in recent years has voted several times for submission of an amendment to shorten the interval between the election and the taking of office. Upon the organization of the Seventy-second Congress, the Norris Amendment, coming over from the Senate, received the approval of the House. Now, as soon as three-fourths of the States vote approval of the pending Amendment to the Constitution, a new Chief Executive of the United States will be inaugurated on January 20 after his election in November. and the new Congress chosen in November will begin to function on the Third of January, the Amendment upon which Legislatures are to pass containing this provision;

"The terms of the President and Vice President shall end at Noon on the Twentieth day of January, and the terms of Senators and Representatives at Noon on the Third of January, of the years in which such terms would have ended if this Article had not been ratified; and the terms of their successors shall then begin.

When thirty-six States vote "Aye" the interval of marking time for four months will be no longer impede prompt obedience to the recorded mandates of the people.

The present critical situation emphasizes the arguments heretofore presented for advancing the time of inauguration of the President and the organization of Congress. In a period when from ocean to ocean the people are insistent that the pledges made in the Presidential campaign by the successful Party be immediately redeemed, a stalemate stands between their expectations and the realization of their desires. An outgoing Congress does not feel itself bound to follow the decrees of an election in which many of them were retired. The outgoing President, not in sympathy with important items of the program of the President-elect, feels no compulsion to change the policies or the convictions which have controlled his action during his term of office. It has, therefore, often happened, that between November and March there is an impasse period. In ordinary times this is to be deplored, but in crucial days like these in which we are now living, it is serious. Delay halts action, and failure of quick action tends to destroy hope and faith and united effort. The sooner the change is made the sooner will government function without lost motion.

This Amendment now submitted to the General Assembly of North Carolina has already been ratified by the General Assemblies of the fifteen States which have been in Session since the action of Congress. Nowhere has any real opposition been voiced to what is regarded as an overdue reform. I earnestly trust that this General Assembly will give immediate con-

sideration to the matter and voice what seems to be the unanimous sentiment of North Carolinians by the ratification of the Amendment.

O. MAX GARDNER

(Copy of Resolution of Congress not furnished for the Journal.)

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Cox: H. R. 1, Joint resolution inviting the Honorable Franklin D. Roosevelt, President-elect to address a Joint Session of the General Aessembly. Passed first reading. Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Messrs. Makepeace and Newman: H. R. 2, Joint resolution relative to compensation of Members of the General Assembly.

Referred to the Committee on Salaries and Fees.

By Mr. Moss: H. R. 3, Joint resolution informing His Excellency, the Governor, that the General Assembly is organized and ready to proceed with public business.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without engrossment.

By Messrs. Massenburg and Martin: H. R. 4, A joint resolution ratifying a proposed Amendment to the Constitution of the United States of America, fixing commencement of the terms of the President and Vice President, and Members of Congress.

On motion of Mr. Massenburg the rules are suspended and the Resolution is placed on its immediate passage.

Passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin-108.

Those voting in the negative are: none.

The question now recurs upon the passage of the Resolution on its third reading. The resolution passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin-108.

Those voting in the negative are: none.

By Messrs. Turner of Guilford, Etheridge and Massenburg: H. R. 5, Joint resolution relative to the inauguration of Governor-elect and other state officers.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

Pursuant to this Resolution, the Speaker appoints Messrs. Turner of Guilford, Etheridge and Massenburg, as a Committee from the House.

By Messrs. Johnson of Chatham, Flanagan, and Lumpkin: H. B. 6, A bill to be entitled An act to reduce the compensation of all State Officers elected at the election November 8, 1932, fifteen per cent of the present salaries.

Mr. Johnson of Chatham moves that the rules be suspended and the bill be placed on its immediate passage.

Upon this question Mr. Lumpkin calls for the "Ayes" and "Noes."

The call is sustained and the motion to suspend the rules and place the bill on its immediate passage is carried by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Barden, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Grant, Greene, Greer, Griffin, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Ledford, Lee, Lumpkin, Makepeace, Martin, Mebane, Monroe, Moore, Moss, Moye, McEachern, McLauchlin, Newman, Oaks, Olive, Phillips, Pope, Rouse, Ruark, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of

Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Woodall and Woodfin—90.

Those voting in the negative are: Messrs. Aycock of Wake, Aycock of Wayne, Bean, Brawley, Cox, Crews, Culpepper, Davis, Etheridge, Gattis, Groves, Hamilton, Hutchins, James, Johnson of Pender, Morphew, Murphy, O'Berry, Randolph, Ray, Smith, Taylor of Halifax and Womble—23.

Mr. Scarborough offers a substitute for the bill.

Mr. Aycock of Wake moves that the House recess until 7:30 tonight. Upon this question Mr. Scarborough calls for the "Ayes" and "Noes." The call is sustained, and the motion to recess fails by the following vote:

Those voting in the affirmative are: Messrs. Aycock of Wake, Aycock of Wayne, Bean, Beasley, Brawley, Cover, Crews, Culpepper, Etheridge, Ewing, Galloway, Gattis, Griffin, Hamilton, Haynes, Howell, Hutchins, James, Johnson of Pender, Massenburg, Mebane, Moore, Morphew, Murphy, Newman, O'Berry, Ray, Ruark, Smith, Stevens, Turner of Guilford, Turner of Iredell, and Womble—33.

Those voting in the negative are: Messrs. Allen, Arndt, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cherry, Cox, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Falkner, Flanagan, Froneberger, Gardner, Garibaldi, Gatling, Gilliam, Grady, Graham, Grant, Greene, Groves, Hoyle, Ingram, Johnson of Chatham, Ledford, Lumpkin, Makepeace, Martin, Monroe, Moss, Moye, McEachern, McLauchlin, Oaks, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White, Williams, Wilson, Woodall, and Woodfin—75.

The question now recurs upon the adoption of the substitute bill. The substitute bill fails of adoption.

The question now recurs upon the passage of the bill on its second reading.

Mr. Grant offers an amendment; and upon its adoption, calls for the "ayes" and "noes." The call is sustained, and the amendment is lost by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Barden, Beasley, Bender, Binford, Boswell, Boyd, Brady, Brock, Brown, Cameron, Cover, Dees, Eagles, Ewing, Galloway, Gatling, Gattis, Gilliam, Grady, Grant, Greene, Griffin, Howell, Ingram, Ledford, Lee, Martin, Monroe, Moss, Moye, Newman, Oaks, Pope, Rouse, Scarborough, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Woodall and Woodfin—53.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Aycock of Wake, Aycock of Wayne, Bean, Bowie, Brawley, Cherry, Coffey, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Dowtin of Warren, Douglass, Edwards, English, Etheridge, Everett, Flanagan, Froneberger, Gardner, Garibaldi, Graham, Greer, Groves, Hamilton, Haynes, Hoyle, Hutchins, James, Johnson of Chatham, Lumpkin, Massenburg, Mebane, Moore, Morphew,

Murphy, McEachern, McLauchlin, O'Berry, Olive, Phillips, Randolph, Ray, Ruark, Sigmon, Smith, Sullivan, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford, Wilson and Womble—56.

The question now recurs upon the passage of the bill on its second reading.

Upon this, Mr. Graham calls for the "Ayes" and "Noes." The call is sustained, and the bill passes its second reading by the following vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Moss, Moye, McEachern, McLauchlin, Newman, Oaks, Olive, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Woodall and Woodfin—99.

Those voting in the negative are: Messrs. Aycock of Wake, Aycock of Wayne, Brawley, Cox, Crews, Culpepper, Etheridge, Hamilton, Hutchins, James, Morphew, Murphy, O'Berry, Phillips, Randolph and Womble—16.

The question now recurs upon the passage of the bill on its third reading. The bill passes its third reading, and is sent to the Senate without Engrossment.

By Mr. Johnson of Chatham: H. B. 7, A bill to be entitled An act to grant a moratorium on all loans to war veterans under the World War Veterans Loan Act.

Referred to the Committee on Judiciary No. 1.

By Messrs. Newman, Makepeace and Grant: H. B. 8, A bill to be entitled An act to amend Chapter 3, Public Laws 1929, reducing the compensation of the clerks and other employees of the General Assembly by twenty per cent.

Referred to the Committee on Salaries and Fees.

On motion of Mr. Massenburg, the Rules of the House for the 1931 Session are adopted until the Rules Committee makes its report.

On motion of Mr. Graham, the House adjourns to meet tomorrow at 10:30 o'clock.

#### SECOND DAY

House of Representatives, Thursday, January 5, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Theodore Partrick, of Raleigh.

On motion of Mr. Gattis, the reading of the Journal of yesterday is dispensed with, and the same stands approved.

The courtesies of the floor are extended to Honorable A. L. Bulwinkle, Congressman from the Tenth District.

Leave of absence is granted to Mr. Hutchins until Monday, January ninth. Honorable W. W. Neal, of McDowell County, having been absent yesterday when the oaths of office were administered, is called to the Bar of the House and is administered his oath of office by Mr. Speaker Harris.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Doughton: H. B. 9, A bill entitled An act to amend section 7663 of the Consolidated Statutes, relating to the distribution of Statutes.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Messrs. Wilson, Taylor of Mecklenburg, and Boyd: H. R. 10, Joint resolution relative to reducing the expenses of the State Government.

On motion of Mr. Wilson, the rules are suspended, and the bill is placed on its immediate passage.

Mr. Sullivan offers an amendment, which is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Bowie, Murphy and Flanagan: H. B. 11, A bill to be entitled An act to abolish penalties for non-payment of taxes.

On motion of Mr. Bowie, the bill is placed on the Calendar.

By Messrs. Moss, Murphy and Cox: H. R. 12, A joint resolution providing for Joint Session of the House of Representatives and Senate of the State of North Carolina for the purpose of the inauguration of the Governor of North Carolina, and other State officers.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly Enrolled, and they are duly ratified, and sent to the office of the Secretary of State:

H. R. 4, A joint resolution ratifying a proposed amendment to the Constitution of the United States of America, fixing the commencement of the terms of President and Vice President, and Members of Congress.

H. B. 6, An act to reduce the compensation of all State officers elected at the election November 8, 1932, fifteen per cent of the present salaries.

Pursuant to Resolution heretofore passed, the Senators and Members of the House of Representatives meet in the rotunda of the Capitol at 11:30 a.m. and proceed to the War Memorial Auditorium, where a Joint Session of the General Assembly convenes to witness the Inaugural Ceremonies of the newly elected State officers.

#### JOINT SESSION

At the War Memorial Auditorium, at the hour of Noon, the Joint Assembly is called to order by Honorable W. G. Clark, President *Pro Tempore* of the Senate.

The following State officers-elect are presented by Honorable George McNeill, Senator from the County of Cumberland, and the oaths of office are administered to them, as follows:

By Associate Justice Brogden, of the Supreme Court of North Carolin	a:
Dan C. Boney	
Stanley WinborneCorporation Commissioner	
By Associate Justice Connor, of the Supreme Court of North Carolina:	
A. L. Fletcher	
William A. GrahamCommissioner of Agriculture	
By Associate Justice Clarkson, of the Supreme Court of North Carolina:	
Dennis G. Brummitt	
Baxter DurhamState Auditor	
By Associate Justice Adams, of the Supreme Court of North Carolina:	
Stacey W. WadeSecretary of State	
Charles M. Johnson	
A. H. GrahamLieutenant Governor	
On account of illness of Honorable A. T. Allen, Superintendent of Pub	lic

On account of illness of Honorable A. T. Allen, Superintendent of Public Instruction, the oaths of office are not administered to him.

Senator McNeill presents Lieutenant Governor Graham, who assumes the Chair. Governor O. Max Gardner is recognized, and presents Governor-elect J. C. B. Ehringhaus, who takes his oaths of office as administered to him by Honorable Walter P. Stacy, Chief Justice of the Supreme Court of North Carolina. Governor Ehringhaus then delivers his Inaugural Address. (A complete text of the address appears on the first page of the appendix.)

The business for which the Joint Session was convened having been accomplished, and upon motion of Senator McNeill, the Joint Session adjourns. The House, pursuant to order, stands adjourned until 12:00 tomorrow.

#### THIRD DAY

House of Representatives, Friday, January 6, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker, of Raleigh.

On motion of Mr. Gatling, the reading of the Journal of yesterday is dispensed with, and the same stands approved.

Leaves of absence are granted to the following Members: Messrs. Martin of Buncombe, Graeber, Olive, Culpepper, Davis of Hyde, Graham, Froneberger, Barden, White, Taylor, Young, Pope, Grady, Stevens, Haynes, Moore, Aycock of Wayne, Brawley, Woodall, Hoyle, Eaton, Vann, Warlick, Braddy,

Flanagan, Edwards, English, Mizzell, Lee, Eagles, Rouse, Thomas, Beasley, Spruill, Ruark, Thompson of Robeson, Gatling, O'Berry, Tatem, Thompson of Columbus, Cameron, Griffin, Allen, Faulkner, and Johnson of Pender.

#### APPOINTMENT OF PAGES

The Speaker announces the appointment of the following pages: Albert Hughes, Chief, James Currie, Jno. Jacob Pegram, Nick Posey, R. D. Bumpass, Luther Perry, Robert Beam, James Smith and Beverly Johnson.

#### Respectfully,

R. L. HARRIS, Speaker.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time, and disposed of as follows:

By Mr. Brock: H. R. 13, Joint resolution of respect upon the death of Honorable Calvin Coolidge.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Wilson, and Thompson of Columbus: H. B. 14, A bill to be entitled An act to repeal chapter 161 of the Public Laws of 1929, being An act to require advance notice of five days with respect to issuing marriage license.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being An act regulating the issuance of license to marry and providing for the physical examination of applicants.

Referred to the Committee on Judiciary No. 1.

By Mr. Ewing: H. B. 16, A bill to be entitled An act to amend section two of chapter 260 of the Public Laws of 1931, being an amendment to section 8037 of the Consolidated Statutes, relating to penalties on delinquent taxes.

Referred to the Committee on Finance.

By Messrs. Johnson of Chatham, Ewing, Graham, and Thompson of Robeson: H. B. 17, A bill to be entitled An act to provide that the sixmonths public school term shall be maintained from sources other than ad valorem tax on property.

Referred to the Committee on Finance.

By Messrs. Vann and Spruill: H. B. 18, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in North Carolina.

Referred to the Committee on Finance.

By Messrs. Sullivan, and Martin of Buncombe: H. B. 19, A bill to be entitled An act fixing the compensation of Presidential Electors.

On motion of Mr. Sullivan the bill is placed on the Calendar.

By Mr. Eaton: H. B. 20, A bill to be entitled An act to amend section (5), chapter 260, Public Laws 1931, relating to actions for the foreclosure of tax sale certificates.

Referred to the Committee on Finance.

By Mr. Haynes: H. B. 21, A bill to be entitled An act to validate certain conveyances executed in Surry County, prior to January 1, 1933.

Referred to the Committee on Judiciary No. 1.

By Messrs. Randolph, Ray and Lumpkin: H. B. 22, A bill to be entitled An act amending chapter 221, Public Laws of 1927, and chapter 204, Public Laws of 1929, and chapter 260, Public Laws of 1931, and for other purposes.

Referred to the Committee on Finance.

By Mr. Davis: H. B. 23: A bill to be entitled An act relating to and providing for, an extension of time for the payment of taxes, and interest charges upon delinquent taxes in Hyde County.

Referred to the Committee on Finance.

And.

H. B. 24, A bill to be entitled An act relating to and limiting leasing of oyster beds in Hyde County.

Referred to the Committee on Oyster Industry.

By Mr. Thompson of Beaufort: H. B. 25, A bill to be entitled An act to reduce the reward for capture of stills in Beaufort County.

Referred to the Committee on Propositions and Grievances.

By Mr. Randolph: H. B. 26, A bill to be entitled An act to amend chapter 134, Public Laws 1931 in so far as it affects Swain County.

Referred to the Committee on Finance.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. R. 1, Joint resolution providing for a balanced Budget and requiring the Finance and Appropriations Committees to make a report embodying the Appropriations for the Biennium 1933 to 1935 and Committee on Finance to make its report upon a Revenue and Machinery Act sufficient to meet the expenses of the State for such Biennium, both of such Committees to report to the General Assembly by or before the sixth of February, 1933.

On motion of Mr. Wilson, the rules are suspended and the bill is placed on its immediate passage.

Mr. Moss offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the Senate for concurrence in the House Amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 11, A bill to be entitled An act to abolish penalties for non-payment of taxes.

On motion of Mr. Murphy, the bill is recommitted to the Committee on Finance.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions duly enrolled, and they are ratified and sent to the office of the Secretary of State:

H. R. 3, Joint resolution informing His Excellency, the Governor, that the General Assembly is organized and ready to proceed with public business.

H. R. 5, Joint resolution relating to the Inauguration of Governor-elect and other States officers.

H. R. 1, Joint resolution inviting the Honorable Franklin D. Roosevelt, President-elect, to address a Joint session of the General Assembly.

Mr. Young makes a motion that the House adjourn until 10:00 o'clock tomorrow, and that when it adjourns tomorrow, it adjourn to meet Monday night at 8:00 o'clock p.m.

It is so ordered.

#### FOURTH DAY

House of Representatives, Saturday, January 7, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. C. J. Hollandsworth, of the City of Raleigh.

On motion of Mr. Tatem, the reading of the Journal of yesterday is dispensed with, and the same stands approved.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Howell: H. B. 27, A bill to be entitled An act to establish a Law Library in Haywood County.

Referred to the Committee on Judiciary No. 1.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. R. 2, Joint resolution to authorize and provide for the printing of the Governor's Message to the General Assembly.

On motion of Mr. Doughton, the rules are suspended, and the resolution is placed on its immediate passage.

The resolution passes its second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 19, A bill to be entitled An act fixing the compensation of Presidential Electors.

As amended, passes its second and third readings, and is ordered sent to the Senate without Engrossment.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of Secretary of State:

H. R. 12, A point resolution providing for a Joint Session of the House of Representatives and the Senate of the State of North Carolina for the purpose of the inauguration of the Governor of North Carolina, and other State officers.

H. B. 9, An act to amend section 7663 of the Consolidated Statutes relating to the distribution of Statutes.

Pursuant to motion made by Mr. Young at yesterday's session, the House adjourns until eight o'clock Monday night.

#### FIFTH DAY

House of Representatives, Monday Night, January 9, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. R. Walker of Raleigh.

On motion of Mr. Johnson of Pender, the reading of the Journal of Saturday is dispensed with and the same stands approved.

The courtesies of the floor are extended to: Messrs. D. H. Tillett of Cherokee, Victor Young of Durham, former Members of the House, and Honorable Willis Smith, former Speaker of the House.

Leaves of absence are granted to Messrs. Taylor of Currituck, and Eaton of Yadkin, indefinitely on account of sickness.

Mr. Cowles of Wilkes County having been absent at the opening day of the session, when the oaths of office were administered, is called to the Bar of the House and is administered his oath of office by Mr. Speaker Harris.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. R. 28, Joint resolution relative to balancing of the State Budget without the levying of additional taxes.

Referred to the Committee on Finance.

By Messrs. Young and Newman: H. B. 29, A bill to be entitled An act to amend chapter 277, Public Laws of 1931, entitled An act to establish a Director of Personnel and to prescribe and define his duties and powers.

Referred to the Committee on Judiciary No. 1.

By Messrs. Taylor of Mecklenburg, and Garibaldi: H. R. 30, Joint resolution to establish a Committee of the General Assembly for the purpose of amicably adjusting the salaries of the Constitutional officers of

the State of North Carolina, and the salaries of the Members of the Judiciary of the State of North Carolina.

Referred to the Committee on Salaries and Fees.

By Mr. Vann: H. B. 31, A bill to be entitled An act relating to the salaries of the County officers of Hertford County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 32, A bill to be entitled An act relating to the Superintendent of the County Convict Farm of Hertford County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Gilliam: H. B. 33, A bill to be entitled An act to regulate lobbying, to require the Secretary of State to furnish to all Committees a Legislative Appearance Docket, with entries of all legislative counsel or agents, and to provide reasonable punishment for the violation of this act.

Referred to the Committee on Propositions and Grievances.

By Mr. Allen: H. B. 34, A bill to be entitled An act to amend chapter 336, Public Laws of 1931, relating to the fee for registration and license plates for certain trailers.

Referred to the Committee on Public Roads.

By Mr. Aycock of Wake: H. B. 35, A bill to be entitled An act amending chapter 60, Public Laws of 1931, relating to the establishment of a Local Government Commission.

Referred to the Committee on Finance.

By Mr. Sigmon: H. B. 36, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

Referred to the Committee on Propositions and Grievances.

By Mr. Beasley: H. B. 37, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Union County from the Absentee Voters Act.

Referred to the Committee on Election Laws.

By Messrs. Taylor of Mecklenburg, and Garibaldi: H. B. 38, A bill to be entitled An act to repeal chapter 150 of the Private Laws of North Carolina, Session of 1925, relating to the Charlotte Park and Recreation Commission.

Referred to the Committee on Judiciary No. 2.

By Mr. Cover: H. B. 39, A bill to be entitled An act to repeal the dog tax law as to Cherokee County.

Referred to the Committee on Finance.

By Mr. Gilliam: H. B. 40, A bill to be entitled An act to amend the North Carolina Game Law in the particulars mentioned below, the said amendments in this Act to apply to Alamance County only.

Referred to the Committee on Game.

By Mr. Taylor of Mecklenburg: H. B. 41, A bill to be entitled An act to repeal chapter 108, Public Local Laws of North Carolina, Session of 1899, relating to the office of cotton weigher for the city of Charlotte, and to abolish said office.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Taylor of Mecklenburg: H. B. 42, A bill to be entitled An act to amend Section 948, Volume One, of the Consolidated Statutes relative to

requiring the Clerk to mail Calendars to attorneys of record who reside out of his county.

Referred to the Committee on Courts and Judicial Districts. And.

H. B. 43, A bill to be entitled An act for the relief of Mecklenburg County, and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.

Referred to the Committee on Insane Asylums.

And,

H. B. 44, A bill to be entitled An act to repeal Chapter 199 of the Public Laws of 1893 relating to the meetings of the Board of County Commissioners of Mecklenburg County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Howell: H. B. 45, A bill to be entitled An act to amend chapter 212, Public-Local Laws of 1929, relating to the salary of Tax Collector in Haywood County.

Referred to the Committee on Salaries and Fees.

By Mr. Gilliam: H. B. 46, A bill to be entitled An act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other form of sport or profiteering, as making pictures for sale, fortune telling, etc., during the three days' Session of the Upper and Lower Country Line Primitive Baptist Associations within a distance closer than one and one-half miles of said meeting.

Referred to the Committee on Judiciary No. 1.

By Mr. Everett: H. R. 47, Resolution to authorize and direct the State's Tax Commission to furnish a statement of the indebtedness of the various counties of the State, now in default.

On motion of Mr. Everett the resolution is placed on the Calendar.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 13, Joint Resolution of respect upon the death of Honorable Calvin Coolidge.

S. R. 2, Joint Resolution to authorize and provide for the printing of the Governor's message to the General Assembly.

#### COMMITTEE APPOINTMENTS

Mr. Speaker Harris announces the appointment of the following Standing Committees:

Committee on Agriculture—Mr. McEachern, Chairman; Messrs. Cox, Williams, Sigmon, Ewing, Allen, Spruill, Vann, Davis, Pope, Gilliam, Aycock of Wayne, Binford, Boswell, Eagles, Braddy, Falkner, Watson, Greer, Garibaldi, Ingram, Arndt, Monroe.

Committee on Appropriations—Mr. Newman, Chairman; Messrs. Graham, Doughton of Alleghany, Allen, Bowie, Turner of Iredell, Garrou, Lumpkin, Lee, Bender, Martin, Barden, Morphew, Hoyle, Griffin, Everett, Brown, Gatling,

Murphy, McEachern, Taylor of Mecklenburg, Tatem, Moye, Rouse, Haynes, Hutchins, James, McLauchlin, Brock, Greene.

Committee on Banks and Banking—Mr. Etheridge, Chairman; Messrs. Flanagan, Greer, Coffey, Cherry, Aycock of Wake, Haynes, Massenburg, Vann, Eagles, Hutchins, Groves, Newman, Hoyle, Lumpkin, Makepeace, McEachern, O'Berry, Brawley, Olive, Cover, Randolph, Woodall, Ledford.

Committee on Claims—Mr. Ruark, Chairman; Messrs. Thompson of Robeson, Arndt, Bender, Groves, Berryman, Griffin, Boyd, Ingram, Bean, English, Falkner, Binford.

Committee on Commerce—Mr. Tatem, Chairman; Messrs. Thompson of Columbus, Ray, Wilson, Howell, Thompson of Beaufort, Pope, Dowtin of Warren, Cox, Phillips.

Committee on Commercial Fisheries—Mr. Thompson of Beaufort, Chairman; Messrs. Ruark, Barden, Tatem, Taylor of Currituck, Davis, Brown, Arndt, Dees, Grant, Gatling, O'Berry, Bender, Warlick, Moye, Eaton.

Committee on Congressional Districts—Mr. Lumpkin, Chairman; Messrs. Johnson of Chatham, McLauchlin, Gardner, Cover, Thompson of Robeson, Arndt, Greer, Olive, Barden, Stevens, Graham, Cowles.

Committee on Conservation and Development—Mr. Ewing, Chairman; Messrs. Flanagan, Smith, Mizzell, Garibaldi, Coffey, Williams, Etheridge, Brawley, Randolph, Pope, Lee, Falkner, Thomas, Martin, Sigmon, Thompson of Robeson.

Committee on Constitutional Amendments—Mr. Murphy, Chairman; Messrs. Aycock of Wake, Everett, Moss, Allen, Doughton of Alleghany, Grant, Martin, Cherry, Coffey, Gattis, Makepace, Beasley, Massenburg, Culpepper, Wilson, O'Berry, Cowles.

Committee on Corporation Commission—Mr. Hutchins, Chairman; Messrs. Johnson of Chatham, Grady, Culpepper, Womble, James, Eagles, Moss, Graeber, Braddy, Stevens.

Committee on Corporations—Mr. Grant, Chairman; Messrs. Randolph, Garrou, Olive, English, Williams, Howell, Cover, Makepace, Graham.

Committee on Counties, Cities and Towns—Mr. Neal, Chairman; Messrs. Ewing, Thompson of Columbus, Turner of Iredell, Greer, Boswell, Johnson of Pender, Bean, Sullivan, Dowtin of Warren, Cox, Tompkins, Taylor of Halifax, Douglass, Wilson, Hutchins, Haynes, Howell, Watson, Woodall, Brock.

Committee on Courts and Judicial Districts—Mr. Young, Chairman; Messrs. Moss, Turner of Guilford, Hamilton, Bowie, Boyd, Gattis, Crews, Lumpkin, Johnson of Chatham, Everett, Gardner, Thompson of Beaufort, Edwards, Cowles.

Committee on Drainage—Mr. Davis, Chairman; Messrs. Braddy, Edwards, Taylor of Currituck, Dees, Woodall, Mizzell, Ruark, Scarborough, Culpepper, Rouse.

Committee on Education—Mr. Graham, Chairman; Messrs. Beasley, Stevens, Ewing, Mrs. Mebane, Martin, Phillips, Gilliam, Johnson of Chatham, English, Ray, Smith, Boswell, Cameron, Tompkins, McEachern, Moss, Aycock of Wake, Aycock of Wayne, Pope, Spruill, James, Moore, Gardner, Thompson of Columbus, Oaks.

Committee on Election Laws—Mr. Bowie, Chairman; Messrs. Ewing, Thompson of Columbus, Morphew, Cover, Womble, Gardner, Grady, Haynes, Neal, Ray, Wilson, Edwards, Young, Froneberger, Lumpkin, Vann, Massenburg, Monroe.

Committee on Engrossed Bills—Mr. Gatling, Chairman; Messrs. Dees, Sullivan, Ray, Taylor of Currituck, Bean, Graeber, Galloway, Beasley, Aycock of Wayne.

Committee on Expenditures of the House—Mr. Garibaldi, Chairman; Messrs. Taylor of Halifax, Ingram, Graeber, Lee, Douglass, Cameron, Falkner, Newman, Gatling, Greene.

Committee on Federal Relations—Mr. Johnson of Chatham, Chairman; Messrs. Murphy, Rouse, Williams, Crews, Taylor of Halifax, Brawley, Moore, Mrs. Mebane, Woodfin, Gattis.

Committee on Finance—Mr. Doughton of Alleghany, Chairman; Messrs. Cherry, Flanaghan, Moss, Newman, Coffey, White, Johnson of Pender, Vann, Neal, O'Berry, Young, Groves, Cox, Ewing, Olive, Greer, Warlick, Turner of Guilford, Murphy, Etheridge, Womble, Brawley, Garibaldi, Culpepper, Gattis, Sullivan, Makepeace, Wilson, Monroe, Eaton.

Committee on Game—Mr. Makepeace, Chairman; Messrs. Ewing, Taylor of Currituck, Smith, Etheridge, Thompson of Columbus, Rouse, Allen, Mizzell, Tompkins, Woodfin, Stevens, Neal, Braddy, Haynes, Watson, Spruill, Greer, Ingram, Boyd, Monroe.

Committee on Health—Mr. Gattis, Chairman; Messrs. Lee, Douglass, James, Moye, Lumpkin, Rouse, Galloway, Taylor of Halifax, Howell, Garibaldi, Grant, Oaks.

Committee on Immigration—Mr. Braddy, Chairman; Messrs. Groves, Griffin, Hoyle, Scarborough, Cameron, Berryman, White, Ruark, Phillips, Randolph, Oaks.

Committee on Insane Asylums—Mr. Sigmon, Chairman; Messrs. Garibaldi, Garrou, Aycock of Wayne, Lee, Douglass, Ingram, Galloway, Tompkins, Williams, Froneberger, Mrs. Mebane, Bean, Oaks.

Committee on Institutions for the Blind—Mr. Woodall, Chairman; Messrs. Johnson of Chatham, Mizzell, McLauchlin, Cameron, Edwards, Thomas, Moye, Braddy, Berryman, Brown, Ledford.

Committee on Institutions for the Deaf and Dumb—Mr. Haynes, Chairman; Messrs. Coffey, Garrou, Phillips, Gatling, Eagles, Gilliam, Thompson of Robeson, Hoyle, Taylor of Currituck, Ingram, Greene.

Committee on Insurance—Mr. Johnson of Pender, Chairman; Messrs. Makepeace, Hoyle, Taylor of Mecklenburg, Olive, Morphew, O'Berry, Hamilton, Barden, Crews, Moss, Neal, Coffey, Groves, Graham, Gilliam, Cowles.

Committee on Internal Improvements—Mr. Thompson of Columbus, Chairman; Messrs. Grant, Boyd, Edwards, Turner of Iredell, Scarborough, Dowtin of Warren, Arndt, Pope, Douglass.

Committee on the Journal—Mr. Turner of Iredell, Chairman; Messrs. Thomas, Dees, Bender, Newman, Rouse, White, Aycock of Wake, Spruill, Gatling, Aycock of Wayne.

Committee on Judiciary No. 1—Mr. Moss, Chairman; Messrs. Gattis, Brawley, Johnson of Pender, Grant, Young, Bender, Olive, Taylor of Mecklenburg, Smith, Martin, Johnson of Chatham, Aycock of Wake, Thomas,

Murphy, Hutchins, Cherry, Crews, Lumpkin, Scarborough, Hamilton, Barden, Brock.

Committee on Judiciary No. 2—Mr. Turner of Guilford, Chairman; Messrs. Warlick, Bowie, Everett, Hoyle, Massenburg, Williams, Morphew, Gardner, Randolph, Womble, Dees, Froneberger, Grady, Ruark, White, Thompson of Beaufort, Boyd, Rouse, Howell, Edwards, Sullivan, Wilson, Cowles.

Committee on Manufactures and Labor—Mr. Groves, Chairman; Messrs. James, Taylor of Halifax, Bean, McEachern, Mrs. Mebane, Garrou, Johnson of Pender, Coffee, Graham, English, Graeber, Froneberger, Neal, Allen, Sigmon, Oaks.

Committee on Military Affairs—Mr. Warlick, Chairman; Messrs. Allen, McLauchlin, Rouse, Moore, Olive, Young, Barden, Cherry, Gattis, Howell, Morphew, Boyd, Hamilton, Johnson of Chatham.

Committee on Oyster Industry—Mr. Dees, Chairman; Messrs. Brown, Davis, Hamilton, Berryman, Ruark, Thompson of Beaufort, Makepeace, Barden, Ewing.

Committee on Penal Institutions—Mr. Flanagan, Chairman; Messrs. Bowie, Garibaldi, James, Neal, Woodall, Thompson of Robeson, Dowtin of Warren, Wilson, Spruill, Hamilton, Ray, Sullivan, Morphew, Randolph, Eaton.

Committee on Pensions—Mr. Thomas, Chairman; Thompson of Robeson, Thompson of Columbus, Mizzell, Flanagan, Newman, Gatling, Griffin, McLauchlin, Sprinkle.

Committee on Private and Public Local Laws—Mr. Scarborough, Chairman; Messrs. Crews, Gattis, Dees, Howell, Phillips, White, Edwards, Thompson of Robeson, Ruark.

Committee on Priviliges and Elections—Mr. Morphew, Chairman; Messrs. Doughton of Alleghany, Grant, Bean, Woodfin, Johnson of Pender, Young, Beasley, Berryman.

Committee on Propositions and Grievances—Mr. Hamilton, Chairman; Messrs. Morphew, Bowie, James, Berryman, Neal, Moye, Cameron, Watson, Scarborough, Makepeace, Cover, Turner of Iredell, Galloway, McLauchlin, Sprinkle.

Committe on Public Roads—Mr. Cherry, Chairman; Messrs. Neal, Doughton of Allegany, Randolph, Grant, Moss, Rouse, Arndt, Graeber, Tatem, Hamilton, Massenburg, Flanagan, Gattis, Stevens, Gardner, Ruark, Johnson of Pender, Barden, Turner of Iredell, Moore, Thompson of Beaufort, Brock.

Committee on Public Welfare—Mrs. Mebane, Chairman; Messrs. Beasley, Graham, Murphy, Vann, Garrou, Womble, Etheridge, Olive, Randolph, Froneberger, Wilson, Allen, Sigmon, Thompson of Columbus, Lee, Warlick, Gattis, Cameron, Woodall, Eaton.

Committee on Regulation of Public Service Corporation—Mr. Smith, Chairman; Messrs. Makepeace, Thomas, Taylor of Mecklenburg, Froneberger, Watson, Taylor of Halifax, Turner of Guilford, Morphew, Doughton of Alleghany, Sprinkle.

Committee on Rules—Mr. Cox, Chairman; Messrs. Brawley, Tatem, Moss, Murphy, Olive, Doughton of Alleghany, Allen, Bowie, Johnson of Pender, Martin, Smith, McEachern, Aycock of Wake, Cherry, Ewing, Cowles.

Committee on Salaries and Fees—Mr. Allen, Chairman; Messrs. Flanagan, Hutchins, Grady, Garibaldi, Falkner, Beasley, Johnson of Pender, James, Moore, Greer, Taylor of Currituck, Binford, Woodfin, Watson, Brock.

Committee on Senatorial Districts—Mr. Massenburg, Chairman; Messrs. Smith, Brawley, O'Berry, Neal, Culpepper, Groves, Woodall, Eagles, Haynes, English, Graham, Olive, Spruill.

#### JOINT COMMITTEES

Committee on Enrolled Bills—Mr. Bender, Chairman; Messrs. Newman, Vann, Boswell, Cherry, Warlick, Moss, Turner of Guilford, Woodfin.

Committee on Justices of the Peace—Mr. Moye, Chairman; Messrs. Aycock of Wayne, Davis, Boswell, Woodall, Binford, Dowtin of Warren, Graeber, Pope, Scarborough.

Committee on Library—Mr. Greer, Chairman; Messrs. Boswell, Cover, Culpepper, Dowtin of Warren, English, Gardner, Hoyle, Mrs. Mebane, Turner of Iredell, Gilliam.

Committee on Printing—Mr. Beasley, Chairman; Thompson of Robeson, Griffin, Tomkins, Howell, Lee, Binford, Faulkner, Ray, Phillips, Womble, Newman.

Committee on Public Buildings and Grounds—Mr. Brown, Chairman; Messrs. Woodfin, Cameron, Douglass, Sigmon, Moss, Mizzell, Moore, Young, Graeber.

Committee on Revision of Laws—Mr. Martin, Chairman; Messrs. Frone-berger, Grady, Taylor of Mecklenburg, Turner of Guilford, Murphy, Bowie, Moss, Gattis.

Committee on Trustees of the University—Mr. Everett, Chairman; Messrs, Murphy, Cox, White, Doughton of Alleghany, Coffey, Wilson, Gattis, Moss, Eagles, Graham, Spruill, Etheridge, Johnson of Pender, Turner of Guilford.

On the motion of Mr. Brawley the House adjourns and will meet tomorrow at 12:00 o'clock noon.

#### SIXTH DAY

House of Representatives, Tuesday, January 10, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. McNeil Poteat, of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Messrs. J. Sherwood Upchurch of Wake, and Harold Burke of Alexander, former Members of the House.

Pursuant to resolution heretofore passed, inviting President-elect Franklin D. Roosevelt to address a Joint Session of the General Assembly, the

Speaker appoints as a Committee on the part of the House: Messrs. Cox, Flanagan, and Martin, to act with a like Committee from the Senate, to extend the invitation to President-elect Roosevelt.

#### STATEMENT BY MEMBER

According to press reports and the Journal entries in the Clerk's office, I was not recorded as having voted for H. B. No. 6, a bill to be entitled An act to reduce the compensation of all State Officers, elected at the election November 8, 1932, fifteen per cent, which record roll call vote was had on the second reading of the bill last Wednesday, January 4th. I am positive that I did vote for this bill, and my recollection is verified by Members of the House occupying seats near me. When the roll call vote was verified I failed to recognize the omission of my name, among those who voted for the bill. Since I am so positive that I did vote for it, I am making this statement and ask that it be inserted in the Journal in justice to myself. No blame is attached to anyone except myself, in failing to recognize the omission of my name at the time the roll call was verified.

Signed: M. W. GALLOWAY,

Member from Transylvania.

#### COMMITTEE REPORT

Mr. Cox, for the Committee on Rules, presents Rules for the 1933 House of Representatives, and asks adoption by the House; and requests that 1,500 copies be printed at once.

It is so ordered.

# RULES OF THE HOUSE OF REPRESENTATIVES

## Touching the Duties of Speaker

- 1. It shall be the duty of the Speaker to have the sessions of the House opened with prayer.
- 2. He shall take the chair every day at the hour fixed by the House on the preceding legislative day, shall immediately call the Members to order, and, on appearance of a quorum, cause the Journal of the preceding day to be approved.
- 3. He shall preserve order and decorum, may speak to points of order in preference to other Members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any Member, on which appeal no Member shall speak more than once, unless by leave of the House. A two-thirds' vote of the Members present shall be necessary to sustain any appeal from the ruling of the Chair.
  - 4. He shall rise to put a question, but may state it sitting.
- 5. Questions shall be put in this form, namely, "Those in favor (as the question may be) will say, 'Aye,'" and after the affirmative voice has been expressed, "Those opposed will say, 'No'." Upon a call for a division, the Speaker shall count; if required, he shall appoint tellers.

- 6. The Speaker shall have a general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in case of sickness or by leave of the House.
- 7. All committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.
- 8. In all elections the Speaker may vote. In all other cases he may exercise his right to vote, or he may reserve this right until there is a tie; but in no case shall he be allowed to vote twice on the same question.
- 9. All acts, addresses and resolutions, and all warrants and subpoenas issued by order of the House shall be signed by the Speaker.
- 10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer shall have power to order the same to be cleared.
- 11. No persons except members of the Senate, officers and clerks of the General Assembly, Judges of the Supreme and Superior Courts, State officers, former members of the General Assembly, and persons particularly invited by the Speaker shall be admitted within the hall of the House: *Provided*, that no person except members of the Senate and officers of the General Assembly shall be allowed on the floor of the House or in the lobby in the rear of the Speaker's desk, unless permitted by the Speaker of the House.
- 12. Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House.
- 13. Smoking shall not be allowed in the hall, the lobbies, or the galleries while the House is in session: *Provided*, that smoking may be permitted in the lobby in the rear of the Speaker's desk.

## Order of Business of the Day

- 14. After the approval of the Journal of the preceding day, which shall stand approved without objection, the House shall proceed to business in the following order, viz.:
- (1) The receiving of petitions, memorials, and papers address to the General Assembly or to the House.
  - (2) Reports of standing committees.
  - (3) Reports of select committees.
  - (4) Resolutions.
  - (5) Bills.
  - (6) The unfinished business of the preceding day.
- (7) Bills, resolutions, petitions, memorials, messages, and other papers on the Calendar, in their exact numerical order, unless displaced by the orders of the day; but messages and motions to elect officers shall always be in order.

No member shall rise from his seat to introudce any petition, resolution or bill out of order unless he is permitted so to do by a suspension of the rules.

## On Decorum in Debate

- 15. When any member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker.
- 16. When the Speaker shall call a member to order, the member shall sit down, as also he shall when called to order by another member, unless the Speaker decides the point of order in his favor. By leave of the House a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair, and if, upon appeal, the decision be in favor of the member called to order, he may proceed; if otherwise, he shall not, except by leave of the House; and if the case, in the judgment of the House, require it, he shall be liable to its censure.
- 17. No member shall speak until recognized by the Chair, and when two or more members rise at the same time, the Speaker shall name the member to Speak.
- 18. No member shall speak more than twice on the main question, nor longer than thirty minutes for the first speech and fifteen minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present; nor shall he speak more than once upon an amendment or motion to commit or postpone, and then not longer than ten minutes. But the House may, by consent of a majority, suspend the operations of this rule during any debate on any particular question before the House, or the Committee on Rules may bring in a special rule that shall be applicable to the debate on any bill.
- 19. While the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of or cross the House, nor when a member is speaking entertain private discourse, stand up, or pass between him and the Chair.
- 20. No member shall vote on any question when he was not present when the question was put by the Speaker, except by the consent of the House. Upon a division and count of the House on any question, no member without the bar shall be counted.
- 21. Every member who shall be in the hall of the House for the above purpose when the question is put shall give his vote upon a call of the aye's and no's, unless the House for special reasons shall excuse him, and no application to be excused from voting or to explain a vote shall be entertained unless made before the call of the roll. The hall of the House shall include the lobbies and offices connected with the hall.
- 22. When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate. A motion to table or adjourn shall be seconded before the motion is put by the Speaker to the vote of the House.
- 23. Every motion shall be reduced to writing, if the Speaker or any two members request it.
- 24. After a motion is stated by the Speaker or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn

before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

- 25. When a question is under debate no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, which several motions shall have precedence in the order in which they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain to commit or amend, being decided, shall be again allowed at the same stage of the bill or proposition.
- 26. A motion to adjourn or lay on the table shall be decided without debate, and a motion to adjourn shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.
- 26a. In case of adjournment without any hour being named, the House shall reconvene on the next legislative day at twelve o'clock noon.
- 27. When a question has been postponed indefinitely, the same shall not be acted on again during the session, except upon a two-thirds vote.
- 28. Any member may call for a division of the question, when the same shall admit of it, which shall be determined by the Speaker.
- 29. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day, unless it may have subsequently passed the Senate, and no motion to reconsider shall be taken from the table except by a two-thirds vote. But unless such vote has been taken by a call of the yea's and nay's, any member may move to reconsider.
- 30. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.
- 31. Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker; a brief statement of the contents thereof may be verbally made by the introducer before reference to a committee, but shall not be debated or decided on the day of their first being read, unless the House shall direct otherwise.
- 32. When the ayes and noes are called for on any question, it shall be on motion before the question is put; and if seconded by one-fifth of the members present, the question shall be decided by the ayes and noes; and in taking the ayes and noes, or on a call of the House, the names of the members will be taken alphabetically.
- 33. Decency of speech shall be observed and personal reflection carefully avoided.
- 34. Any member may arise at any time to speak to a question of personal privilege, and upon objection to him proceeding, the Speaker shall determine if the question is one of privilege.

- 35. Fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members. A quorum shall consist of a majority of the qualified members of the House.
- 36. No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or inability.
- 37. Any member may excuse himself from serving on any committee if be is a member of two standing committees.
- 38. If any member shall be necessarily absent on temporary business of the House when a vote is taken upon any question, upon entering the House he shall be permitted, on request, to vote, provided that the result shall not be thereby affected.
- 39. No standing rule or order shall be rescinded or altered without one day's notice given on the motion thereof, and to sustain such motion two-thirds of the House shall be required.
- 40. The members of the House shall uncover their heads upon entering the House while it is in session, and shall continue so uncovered during their continuance in the hall, except Quakers.
- 41. A motion to reconsider shall be determined by a majority vote, except a motion to reconsider an indefinite postponement, or a motion to reconsider a motion tabling a motion to reconsider, which shall require a two-thirds vote.
- 42. After a bill has been tabled or has failed to pass on any of its readings, the contents of such bill or the principal provisions or its subject matter shall not be embodied in any other measure. Upon the point of order being raised and sustained by the Chair, such measures shall be laid upon the table, and shall not be taken therefrom except by a vote of two-thirds of the elected membership of the House: *Provided*, no local bill shall be held by the Chair as embodying the provisions or being identical with any State-wide measure which has been laid upon the table, or failed to pass any of its readings.
- 42a. A motion to table an amendment sent up from the floor shall not be construed as a motion to table the principal bill or any other amendment which has been offered thereto, and if such motion is carried, only the amendment shall lie upon the table.
- 42b. When a member desires to interrupt a member having the floor he shall first obtain recognition by the Chair and permission of the member occupying the floor, and when so recognized and such permission is obtained, he may propound a question to the member occupying the floor, but he shall not propound a series of questions or interrogatories or otherwise interrupt the member having the floor; and the Speaker shall, without the point of order being raised, enforce this rule.

## Standing Committees

43. At the commencement of the session a standing committee shall be appointed by the Speaker on each of the following subjects, namely:

- On Agriculture.
- On Appropriations.
- On Banks and Banking.
- On Claims.
- On Commerce.
- On Commercial Fisheries.
- On Congressional Districts.
- On Conservation and Development.
- On Constitutional Amendments.
- On Corporation Commission.
- On Corporations.
- On Counties, Cities, and Towns.
- On Courts and Judicial Districts.
- On Education.
- On Election Laws.
- On Engrossed Bills.
- On Expenditures of the House.
- On Federal Relations.
- On Finance.
- On Game.
- On Health.
- On Immigration.
- On Insane Asylums.
- On Institutions for the Blind.
- On Institutions for the Deaf and Dumb.
- On Insurance.
- On Internal Improvements.
- On the Journal.
- On Judiciary No. 1.
- On Judiciary No. 2.
- On Manufactures and Labor.
- On Military Affairs.
- On Oyster Industry.
- On Penal Institutions.
- On Pensions.
- On Private and Public-Local Laws.
- On Privileges and Elections.
- On Propositions and Grievances.
- On Public Roads.
- On Public Welfare.
- On Regulation of Public-Service Corporations.
- On Rules.
- On Salaries and Fees.
- On Senatorial Districts.

### Joint Committees

- On Enrolled Bills.
- On Justices of the Peace.
- On Library.

- On Printing.
- On Public Buildings and Grounds.
- On Trustees of University.
- On Revision of the Laws.

The first member announced on each committee shall be chairman.

- 43a. Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to adopt a substitute adopted by the Senate for a bill originating in the House, a conference committee shall be appointed upon motion made, consisting of the number named in the motion; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In considering matters in differences between the House and Senate committed to the conferees, only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report shall not be amended. Except as herein set out, the rules of the House of Representatives of Congress shall govern the appointment, conduct, and reports of the conferees.
- 44. In forming a Committee of the Whole House, the Speaker shall leave the Chair, and a Chairman to preside in committee shall be appointed by the Speaker.
- 45. Upon bills submitted to a Committee of the Whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.
- 46. The rules of procedure in the House shall be observed in a Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.
- 47. In a Committee of the Whole House a motion that the committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.
- 48. Every bill shall be introduced by motion for suspension of the rules, or by order of the House, or on the report of a committee, unless introduced in regular order during the morning hour.
- 49. All bills and resolutions shall be reported from the committee to which referred, with such recommendations as the committee may desire to make.
- 50. Every bill shall receive three several readings in the House previous to its passage, and the Speaker shall give notice at each whether it be its first, second or third reading.
- 51. Any member introducing a bill or resolution shall briefly endorse thereon the substance of the same.

- 52. All bills and resolutions shall upon their introduction be referred by the Speaker, without suggestion from the introducer, to the appropriate committee. No bills shall be withdrawn from the committee to which referred except upon motion duly made and carried by a majority vote.
- 53. The Clerk of the House shall keep a separate calendar of the public, local, and private bills, and shall number them in the order in which they are introduced, and all bills shall be disposed of in the order they stand upon the calendar; but the Committee on Rules may at any time arrange the order of precedence in which bills may be considered. No bill shall be twice read on the same day without the concurrence of two-thirds of the members.
- 54. All resolutions which may grant money out of the Treasury, or such as shall be of public nature, shall be treated in all respects in a similar manner with public bills.
- 55. The Clerk of the House shall be deemed to continue in office until another is appointed.
- 56. On the point of no quorum being raised, the doors shall be closed and there shall be a call of the House, and upon a call of the House the names of the members shall be called over by the Clerk and the absentees noted, after which the names of the absentees shall again be called over. Those for whom no excuse or sufficient excuses are made may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found by special messenger appointed for that purpose.

# Previous Question

57. The previous question shall be as follows: "Shall the main question be now put?" and, until it is decided, shall preclude all amendments and debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall be taken upon such amendments, in inverse order, without further debate or amendment. If such question be decided in the negative, the main question shall be considered as remaining under debate; Provided, that no one shall move the previous question except the member submitting the report on the bill or other matter under consideration, and the member introducing the bill or other matter under consideration, or the member in charge of the measure, who shall be designated by the chairman of the committee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

When a motion for the previous question is made, and pending the second thereto by a majority, debate shall cease; but if any member obtains the floor, he may move to lay the matter under consideration on the table, or move an adjournment, and when both or either of these motions are pending the question shall stand:

- (1) Previous question.
  - (2) To adjourn.
  - (3) To lay on the table.

And then upon the main question, or amendments, or the motion to postpone indefinitely, postpone to a day certain, to commit, or amend, in the order of their precedence, until the main question is reached or disposed of; but after the previous question has been called by a majority, no motion, or amendment, or debate shall be in order.

All motions below the motions to lay on the table must be made prior to a motion for the previous question; but, pending and not after the second therefor, by the majority of the House, a motion to adjourn or lay on the table, or both, are in order. This constitutes the precedence of the motions to adjourn and lay on the table over other motions, in Rule 25.

Motions stands as follows in order of precedence in Rule 26:

Previous question.

Adjourn.

Lay on the table.

Postpone definitely.

To commit or amend.

When the previous question is called, all motions below it fall, unless made prior to the call, and all motions above it fall after its second by a majority required. Pending the second, the motions to adjourn and lay on the table are in order, but not after a second. When in order and every motion is before the House, the question stands as follows:

Previous question.

Adjourn.

Lay on the table.

Postpone indefinitely.

Postpone definitely.

To commit.

Amendment to amendment.

Amendment.

Substitute.

Bill.

The previous question covers all other motions when seconded by a majority of the House, and proceeds by regular graduation to the main question, without debate, amendment, or motion, until such question is reached or disposed of.

58. All committees, other than the Committee on Appropriations, when favorably reporting any bill which carries an appropriation from the State, shall indicate same in the report, and said bill shall be re-referred to the Committee on Appropriations for a further report before being acted upon by the House. All committees, other than the Committee of Finance, when favorably reporting any bill which in any way or manner raises revenue or levies a tax or authorizes the issue of bonds or notes, whether public, public-local or private, shall indicate same in the report, and said

bill shall be re-referred to the committee on finance for a further report before being acted upon by the House.

- 59. The Principal Clerk, the Engrossing Clerk, and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their various offices, and one or more of whom may be assigned by the Speaker from the Engrossing Clerk's office to the office of the Legislative Reference Librarian for the purpose of drafting bills.
- 60. The Speaker may appoint a Clerk to the Speaker, and he may also appoint ten pages to wait upon the sessions of the House, and when the pressure of business may require, he may appoint five additional pages.
- 61. The Chairman of each of the following committees—Appropriations, Constitutional Amendments, Counties, Cities and Towns, Education, Finance, and Public Roads, may each appoint a clerk to the said committees; and the chairmen of Judiciary Committee No. 1, and of Judiciary No. 2, may jointly appoint a clerk to serve both of said committees, by and with the approval of the Speaker.
- 62. That no clerk, laborer, or other person employed, or appointed under Rules 59, 60, and 61 hereof shall receive during such employment, appointment or service any compensation from any other department of the State Government, or from any other source, and there shall not be voted, paid, or awarded any additional pay, bonus or gratuity to any of them, but said persons shall receive only the pay for such duties and services as now provided by law. When the House is not in session, the pages shall be under the supervision of the Principal Clerk.
- 63. The Chairman and five other members of any committee shall constitute a quorum of said committee for the transaction of business.
- 64. The Committee on the Journal shall examine daily the Journal of the House before the hour of convening, and report after the opening of the House whether or not the proceedings of the previous day have been correctly recorded.
- 65. When a bill shall be reported by a committee with a recommendation that it be not passed, but accompanied by a minority report, the question before the House shall be, "The adoption of the Minority Report," and it failing to be adopted by a majority vote, the bill shall be placed upon the unfavorable calendar. Such minority report shall be signed by at least three members of the committee who were present when the bill was considered in committee, provided, however, that where a minority report is filed, the proponents and opponents of the question presented thereby shall be allowed not to exceed ten minutes on each side to explain the question. Provided, further, that by a majority vote the time may be extended for a discussion of the minority report and on the merits of the bill. In the event there is an unfavorable report with no minority report accompanying it, the bill shall be placed upon the unfavorable calendar. To take a bill from the unfavorable calendar, a two-thirds vote shall be necessary.

65a. A bill from the unfavorable calendar shall not be debatable, but the movant may make a brief and concise statement of the reasons for the motion before making the motion, taking not more than five minutes.

66. Whenever a public bill is introduced, a carbon copy thereof shall accompany the bill. The reading clerk shall stamp the copy with the number stamped upon the original bill. Such copy shall be daily delivered to the joint committee hereinafter provided for. The Principal Clerk shall deliver the carbon copy of the bills designated to be printed, as hereinafter provided for, to the public printer and cause four hundred copies thereof to be printed. On the morning following the delivery of the printed copies. the Chief Clerk shall cause the Chief Page to have one copy thereof put upon the desk of each member and shall retain the other printed copies in his office. A sufficient number of the printed copies for the use of the committee to which the bill is referred shall be by the Chief Page, delivered to the Chairman or Clerk of that Committee. If the bill is passed, the remaining copies shall be by the Chief Page delivered to the Principal Clerk of the Senate for the use of the Senate. The cost of printing shall be paid from the contingent fund of the House of Representatives. The Chairman of the Rules Committee of the House and the Chairman of the Rules Committee of the Senate shall appoint a Sub-committee consisting of two members of the House and two members of the Senate from the body of the House and Senate and such Chairmen shall notify the Principal Clerk of the House and of the Senate who has been so appointed. Such Subcommittee shall meet daily and examine the carbon copies of the public bills introduced and determine which of such public bills shall be printed and which shall not, and stamp the copies accordingly. Such Sub-committee shall serve for one week unless for good cause the Chairman of the respective rules committees shall determine otherwise. If the member, introducing a public bill, which the committee shall determine should not be printed, so desires, he may appear before the committee at the next meeting thereof with reference thereto.

67. Whenever any resolution or bill is introduced a carbon copy thereof shall be attached thereto, and the Principal Clerk shall cause said carbon copy to be numbered as the original resolution or bill is numbered, and shall cause the same to be available at all times to the member introducing the same. In case the resolution or bill is a public resolution or bill, an additional carbon copy shall also be attached thereto for the use of the Public Printer, under the provisions of Rule 66.

## ARTICLE II

## Constitution of North Carolina

Sec. 29. Limitations upon power of General Assembly to enact private or special legislation.

The General Assembly shall not pass any local, private, or special act or resolution relating to the establishment of courts inferior to the superior court, relating to the appointment of justices of the peace; relating to health, sanitation, and the abatement of nuisances; changing the names

of cities, towns and townships; authorizing the laying out, opening, altering, maintaining, or discontinuing of highways, streets, or alleys; relating to ferries or bridges; relating to non-navigable streams; relating to cemeteries; relating to the pay of jurors; erecting new townships, or changing township lines, or establishing or changing the lines of school districts; remitting fines, penalties, and forfeitures, or refunding moneys legally paid into the public treasury; regulating labor, trade, mining, or manufacturing; extending the time for the assessment or collection of taxes or otherwise relieving any collector of taxes from the due performance of his official duties or his sureties from liability; giving effect to informal wills and deeds; nor shall the General Assembly enact any such local, private or special act by the partial repeal of a general law, but the General Assembly may at any time repeal local, private or special laws enacted by it. Any local, private or special act or resolution passed in violation of the provisions of this section shall be void. The General Assembly shall have power to pass general laws regulating matters set out in this section.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Beasley: H. B. 48, A bill to be entitled An act to amend section 2334 of the Consolidated Statutes relating to the Grand Jury for Union County.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 49, A bill to be entitled An act to allow the killing of rabbits in Union County.

Referred to the Committee on Game.

By Messrs. Howell and Tompkins: H. B. 50, A bill to be entitled An act for relief of E. A. Bumgarner of Jackson County.

Referred to the Committee on Judiciary No. 1.

By Mr. Martin: H. B. 51, A bill to be entitled An act to amend Section 2314 of the Consolidated Statutes relating to jurors.

Referred to the Committee on Courts and Judicial Districts. And.

H. B. 52, A bill to be entitled An act to amend section 4644 of the Consolidated Statutes relating to new trial in criminal cases.

Referred to the Committee on Judiciary No. 1.

By Messrs. Spruill and Vann: H. B. 53, A bill to be entitled An act providing for consolidation of counties in the State of North Carolina, and reducing the cost of government therein.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cover: H. B. 54, A bill to be entitled An act to repeal chapter 1, Public Laws, 1923, commonly known as "The Turlington Act."

Referred to the Committee on Judiciary No. 1.

By Mr. Crews: H. B. 55, A bill to be entitled An act regulating the hours of work for women.

Referred to the Committee on Public Welfare.

By Mr. White: H. B. 56, A bill to be entitled An act to repeal sub-section (g) of section 215 of chapter 427, Public Laws, 1931, relating to exemption from taxation of stocks in foreign corporations.

Referred to the Committee on Finance.

By Mr. Gilliam: H. B. 57, A bill to be entitled An act to amend chapter 428, Public Laws, 1931, so as to make it a misdemeanor to evade taxes by spurious investments, and failure to list intangible property.

Referred to the Committee on Finance.

And.

H. B. 58, A bill to be entitled An act to require banking institutions to report purchase and sale of tax-free securities in certain cases.

Referred to the Committee on Banks and Banking.

By Mr. Ewing: H. B. 59, A bill to be entitled An act to regulate lobbying. Referred to the Committee on Propositions and Grievances.

By Messrs. Randolph and Lumpkin: H. B. 60, A bill to be entitled An act to impose a tax on the manufacture of tobacco products in North Carolina, and to provide for its assessment and collection.

Referred to the Committee on Finance.

By Mr. Randolph: H. B. 61, A bill to be entitled An act to authorize Elbert Welch, ex-treasurer of Swain County, to buy Swain County bonds or any of the Township bonds, and turn same over to the Board of County Commissioners in payment of any indebtedness he, as ex-treasurer, may owe Swain County.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 62, A bill to be entitled An act to repeal chapted 29, Private Laws, 1907, relating to the charter of the Town of Whittier in Swain and Jackson counties.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 63, A bill to be entitled An act to amend chapter 329, Public Laws, 1925, relating to salary of the Chairman of the Board of County Commissioners and the Sheriff of Swain County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 64, A bill to be entitled An act to amend section 1 of chapter 16, of the Public-Local Laws, 1927, relating to penalty for public drunkenness in Swain County.

Referred to the Committee on Propositions and Grievances.

By Mr. Dowtin: H. B. 65, A bill to be entitled An act to repeal chapter 461, of the Public-Local Laws of 1931, being An act to appoint Edward D. Davis special enforcement officer for Warren County for a term of two years.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Vann: H. B. 66, A bill to be entitled An act relating to the appointment of tax collectors for Hertford County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Thompson of Beaufort: H. B. 67, A bill to be entitled An act to provide for combined notices of sales in tax-foreclosure actions.

Referred to the Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. R. 47, House resolution to authorize and direct the State Tax Commission to furnish a statement of the indebtedness of the various counties of the State, now in default.

The resolution is adopted.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 1, A joint resolution of the General Assembly of North Carolina providing for a balanced budget and requiring the Committee on Finance and the Committee on Appropriations to make their report embodying the appropriating for the biennium 1933 to 1935 and the Committee on Finance to make its report upon a Revenue and Machinery act sufficient to meet the expenses of the State for such biennium. Both of such committees to report to the General Assembly by or before the sixth day of February, 1933.

On motion of Mr. Moss, the House adjourns in honor of the birthday of Hon. R. A. Doughton, member from Alleghany, to meet tomorrow at eleven o'clock a.m.

## SEVENTH DAY

House of Representatives, Wednesday, January 11, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. L. S. Gaines, of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Pursuant to resolution heretofore passed, pertaining to the reorganization of State Government, the Speaker appoints as a Committee on the part of the House, Messrs. Brawley, Bowie, Graham, Cherry and Etheridge, to act with a like Committee from the Senate.

## RESOLUTION

A resolution is offered by Messrs. Thompson of Beaufort, Thompson of Robeson, and Thompson of Columbus, which is adopted:

House Resolution to investigate the employment of married people in the various State Departments.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Taylor of Mecklenburg: H. R. 68, Joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Martin and Sullivan: H. B. 69, A bill to be entitled An act to repeal chapter 176 of the Public-Local Laws of 1925, regarding compensation of Jurors in Buncombe County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Douglass: H. B. 70, A bill to be entitled An act to abolish the office of County Superintendent of Schools in each of the one hundred counties in the State, and transfer their duties to eleven public school managers, one from each of the eleven Congressional Districts.

Referred to the Committee on Education.

By Mr. Douglass: H. B. 71, A bill to be entitled An act to reduce the salaries of the State Highway Commissioners and all State Highway employees receiving salaries above fifteen hundred dollars per annum.

Referred to the Committee on Salaries and Fees.

By Messrs. Newman and Grant: H. B. 72, A bill to be entitled An act to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties.

Referred to the Committee on Commercial Fisheries.

By Mr. Smith: H. B. 73, A bill to be entitled An act to amend section 1802 of the Consolidated Statutes relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

Referred to the Committee on Judiciary No. 1.

By Mr. Hamilton: H. B. 74, A bill to be entitled An act to amend the law relating to the Recorder's Court for the County of Carteret.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Olive: H. B. 75, A bill to be entitled An act relating to the holding of the Superior Courts of Davidson County.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Taylor of Mecklenburg, Boyd, and Garibaldi: H. B. 76, A bill to be entitled An act to combine the tax collecting offices of Mecklenburg County and the City of Charlotte, and the office of Treasurer of Mecklenburg County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Gilliam: H. B. 77, A bill to be entitled An act to amend section 24, sub-section 15 of chapter 145, Public Laws of 1931, by inserting in Classification One, following comma in line 5 of sub-section 15, "or any other stationary engine."

Referred to the Committee on Public Roads.

By Messrs. Crews, Watson, Moore and Rouse: H. B. 78, A bill to be entitled An act to abolish Deficiency Judgments upon the foreclosure of Mortgages or Deeds of Trust to secure the unpaid balance of purchase price of real property.

Referred to the Committee on Judiciary No. 1.

By Mr. Irgram: H. B. 79, A bill to be entitled An act relating to hunting rabbits, fox and wild cats in Macon County.

Referred to the Committee on Game.

By Mr. Cowles: H. B. 80, A bill to be entitled An act to amend Chapter 278 of the Public Laws of 1931, relating to the number of Members of the Board of Education of Wilkes County.

Referred to the Committee on Education.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 8, A bill to be entitled An act to regulate the terms of the Superior Court of Beaufort County.

On motion of Mr. Thompson of Beaufort, the bill is placed upon its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

On motion of Mr. Johnson of Pender, the House adjourns until 10:00 o'clock tomorrow.

## EIGHTH DAY

House of Representatives, Thursday, January 12, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. O. L. Riggs, of Raleigh.

Mr. Turner of Iredell, for the committee on the Journal reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Leave of absence is granted to Mr. Galloway of Transylvania, until Monday, and to Mr. Womble, of Wake, until tomorrow.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 45, A bill to be entitled An act to amend Chapter 212, Public Local Laws of 1929, relating to the salary of tax collector of Haywood County. And.

H. B. 31, A bill to be entitled An act relating to the salaries of the county officers of Hertford County.

And.

H. B. 63, A bill to be entitled An act to amend Chapter 329, Public Laws of 1925, relating to salary of the Chairman of the Board of County Commissioners, and the Sheriff of Swain County.

With favorable reports.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 14, A bill to be entitled An act to repeal Chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

And,

H. B. 15, A bill to be entitled An act to repeal Chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry, and providing for the physical examination of applicants."

And.

H. B. 52, A bill to be entitled An act to amend Section 4644 of the Consolidated Statutes relating to new trial in criminal cases.

And,

H. B. 73, A bill to be entitled An act to amend Section 1802 of the Consolidated Statutes relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

With favorable reports.

## HOUSE RESOLUTION

House Resolution committing the House of Representatives to a definite reduction in State expenditures for the Bi-ennium 1933 to 1935, introduced by Messrs. Thompson of Robeson, Thompson of Columbus, Thompson of Beaufort, Johnson of Chatham, Graham of Robeson, Moore, Lumpkin and Ewing, is referred to the Committee on Appropriations.

Pursuant to Resolution to investigate the employment of married persons in State Departments adopted at yesterday's Session, the Speaker appoints as a Committee, Messrs. Thompson of Columbus, Tatem, Massenburg, Edwards and Makepeace.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Douglass: H. R. 81, Joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

Referred to the Committee on Judiciary No. 1.

By Mr. Morphew: H. B. 82, A bill to be entitled An act to amend Chapter 260, Public Laws of 1931, the same being an Amendment to Section 8037 of the Consolidated Statutes, relating to the time of bringing fore-closure actions on tax sales certificates.

Referred to the Committee on Finance.

And,

H. B. 83, A bill to be entitled An act to amend Chapter 351 of the Public Laws of 1931, relating to non-resident fishing license in Graham County.

Referred to the Committee on Game.

By Mr. Johnson of Chatham: H. B. 84, A bill to be entitled An act to amend Section 1, of Chapter 336, Public Laws of 1931, providing for the reduction of license fees on automobiles.

Referred to the Committee on Public Roads.

By Mr. Sigmon: H. B. 85, A bill to be entitled An act to make the office of the Solicitor of the Recorder's Court of Lincoln County elective.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Spruill: H. B. 86, A bill to be entitled An act to allow five years in which to pay back taxes in Bertie County.

Referred to the Committee on Finance.

By Mr. Douglass: H. B. 87, A bill to be entitled An act to provide for the payment of taxes in monthly installments in Wake County.

Referred to the Committee on Finance.

And.

H. B. 88, A bill to be entitled An act to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

Referred to the Committee on Public Buildings and Grounds.

My Messrs. Douglass and Spruill: H. B. 89, A bill to be entitled An act to allow an exemption of One Thousand Dollars to every home owner in North Carolina.

Referred to the Committee on Finance.

By Mr. Olive: H. B. 90, A bill to be entitled An act to add Davidson County to Chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks and to amend the said law.

Referred to the Committee on Judiciary No. 1.

By Mr. Howell: H. B. 91, A bill to be entitled An act to authorize the Mayor and Board of Aldermen of the Town of Waynesville to sell the Chestnut and Pulp timber on the town watershed.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Woodfin: H. B. 92, A bill to be entitled An act to amend Chapter 96, Public Laws of 1927, relating to pensions of widows of Confederate Soldiers.

Referred to the Committee on Pensions.

By Mr. Ingram: H. B. 93, A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Macon County from Absentee Voters Law.

Referred to the Committee on Election Laws.

By Mr. Everett: H. B. 94, A bill to be entitled An act to empower the Local Government Commission to effect settlements between local units of government and the holders of the bonds or other evidences of indebtedness of such local units which are now, or may hereafter be, in default.

On motion of Mr. Everett, the bill is placed on the Calendar.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 8, An act to regulate the terms of the Superior Court of Beaufort County.

Mr. Scarborough makes a motion that the House elect an Assistant Sergeant-at-Arms, which motion fails of adoption.

On motion of Mr. Turner, the House adjourns until 11:00 o'clock tomorrow.

## NINTH DAY

House of Representatives, Friday, January 13, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Doctor A. B. Hunter of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday, has been examined and found correct, and the same stands approved.

Leaves of absence are granted to: Messrs. Olive, Woodall, Davis, Frone-berger, Boswell, Hoyle, Turner, Aycock of Wayne, Grady, O'Berry, White, Berryman, Culpepper, Vann, Allen, Cameron, Braddy, Pope, and Spruill.

## REPORT OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Hamilton, for the Committee on Propositions and Grievances:

H. B. 59, A bill to be entitled An act to regulate lobbying.

With a favorable report, and on motion of Mr. Ewing, the bill is made a Special Order for Monday night, January 16, 1933.

And.

H. B. 33, A bill to be entitled An act to regulate lobbying, to require the Secretary of State to furnish to all Committees a Legislative Appearance

Docket, with entries of all legislative counsel of agents, and to provide reasonable punishment for the violation of this act.

With an unfavorable report.

And,

H. B. 64, A bill to be entitled An act to amend Section 1 of Chapter 16 of the Public-Local Laws 1927, relating to penalty for public drunkenness in Swain County.

And.

H. B. 36, A bill to be entitled An act to repeal certain provisions of Section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

And.

H. B. 25, A bill to be entitled An act to reduce the reward for capture of stills in Beaufort County.

With favorable reports.

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 42, A bill to be entitled An act to amend Section 948, Volume I, of the Consolidated Statutes, relative to requiring the Clerk to mail Calendars to attorneys of record who reside out of his county.

With a favorable report.

And.

H. B. 75, A bill to be entitled An act relating to the holding of the Superior Courts of Davidson County.

With a favorable report.

By Mr. Doughton, for the Committee on Finance:

H. B. 11, A bill to be entitled An act to abolish penalties for non-payment of taxes.

With an unfavorable report as to the bill, with a minority report attached.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Vann: H. B. 95, A bill to be entitled An act to amend Section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 96, A bill to be entitled An act to amend Section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases in Hertford County.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 97, A bill to be entitled An act to regulate the selection of a County Commissioner from each Township in Hertford County.

Referred to the Committee on Counties, Cities, and Towns.

By Mr. Beasley: H. B. 98, A bill to be entitled An act to amend Section 2321 of the Consolidated Statutes, relating to qualifications of Talesmen.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Makepeace and Cameron: H. B. 99, A bill to be entitled An act to amend Section 1, Chapter 336, Public Laws 1931, reducing the rate of registration fee for automobiles fifty per cent.

Referred to the Committee on Finance.

By Mr. Randolph: H. B. 100, A bill to be entitled An act to prohibit the pollution, or poisoning of the waters of the Tuckaseegee and Tennessee Rivers with all their tributaries.

Referred to the Committee on Conservation and Development.

By Messrs. Douglass, Womble, and Aycock of Wake: H. B. 101, A bill to be entitled An act to amend Chapter 59, Private Laws of North Carolina, Session of 1913, relating to city elections in the City of Raleigh.

Referred to the Committee on Counties, Cities and Towns.

My Messrs. Johnson of Chatham, Newman, and Aycock of Wake: H. B. 102, A bill to be entitled An act to amend Chapter 60, Public Laws 1931, providing for the discontinuance of the office of Director of Local Government, and placing the duties of said office under the State Treasurer.

Referred to the Committee on Reorganization of State Government.

By Mr. Morphew: H. B. 103, A bill to be entitled An act for the relief of judgment debtors, mortgagors and debtors by reason of Deed of Trust. Referred to the Committee on Judiciary No. 1.

By Mr. Ewing: H. B. 104, A bill to be entitled An act to reduce tax penalties on uncollected taxes in Cumberland County.

Referred to the Committee on Finance.

By Mr. Gardner: H. B. 105, A bill to be entitled An act to amend Chapter 463 of the Public Local Laws, 1931, relating to the salary of the Auditor of Cleveland County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 106, A bill to be entitled An act to amend Chapter 52, Section 2532 of the Consolidated Statutes of North Carolina.

Referred to the Committee on Agriculture.

And.

H. B. 107, A bill to be entitled An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

Referred to the Committee on Education.

By Mr. Ingram: H. B. 108, A bill to be entitled An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.

Referred to the Committee on Counties, Cities and Towns.

By Mr. English: H. B. 109, A bill to be entitled An act to amend Section 2 of Chapter 427, Public Laws 1931, reducing amount of exemption of proceeds of life insurance policies from Inheritance Tax.

Referred to the Committee on Finance.

By Mr. Scarborough: H. B. 110, A bill to be entitled An act to prohibit the practicing of law by Registers of Deeds, being an amendment to Chapter 4, Section 198, of the Consolidated Statutes.

Referred to the Committee on Judiciary No. 1.

By Messrs. Thompson of Beaufort, Thompson of Columbus, and Ewing: H. B. 111, A bill to be entitled An act to regulate the salaries of Solicitors, and to repeal Sections 3890 and 3890(a) of the Consolidated Statutes.

Referred to the Committee on Salaries and Fees.

By Mr. Thompson of Beaufort: H. B. 112, A bill to be entitled An act to repeal Section 2 of Senate Bill 8, relative to the Superior Courts of Pasquotank and Beaufort counties, said Bill having been passed and ratified January 11, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Gardner: H. B. 113, A bill to be entitled An act to amend and supplement Sections 5390 and 5463 of the Consolidated Statutes of North Carolina, and to fix the number of school days in each school week.

Referred to the Committee on Education.

By Mr. Beasley: H. B. 114, A bill to be entitled An act to amend Consolidated Statutes 1793, relating to competency of defendant to testify in criminal actions.

Referred to the Committee on Judiciary No. 2.

### MESSAGE FROM THE SENATE

A Message is received from the Senate transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

S. R. 23, A Joint Resolution of the Senate and House dealing with the salaries of Constitutional and other State officers.

Referred to the Committee on Salaries and Fees.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 94; A bill to be entitled An act to empower the Local Government Commission to effect settlement between local units of government and the holders of the bonds or other evidence of indebtedness of such local units which are now, or may hereafter be, in default.

On motion of Mr. Everett, the bill is referred to the Committee on Finance.

H. B. 31, A bill to be entitled An act relating to the salaries of the county officers of Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 45, A bill to be entitled An act to amend Chapter 212, Public Local Laws of 1929, relating to the salary of Tax Collector in Haywood County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 63, A bill to be entitled An act to amend Chapter 329, Public Laws of 1925, relating to salary of the Chairman of the Board of County Commissioners, and the Sheriff of Swain County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 73, A bill to be entitled An act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

As amended.

Passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 52, A bill to be entitled An act to amend section 4644 of the Consolidated Statutes relating to new trial in criminal cases.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 14, A bill to be entitled An act to repeal chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

On motion of Mr. Moss, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and provide for the physical examination of applicants."

On motion of Mr. Moss, the bill is recommitted to the Committee on Judiciary No. 1.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 69, An act to repeal chapter 176, of the Public-Local Laws of 1925, regarding compensation of jurors in Buncombe County.

Mr. Johnson of Chatham makes a motion that the House adjourn until 10:00 o'clock tomorrow, and that when it adjourns tomorrow, it adjourn to meet Monday night at 8:00 o'clock p.m.

It is so ordered.

## TENTH DAY

House of Representatives, Saturday, January 14, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. O. L. Hathaway, of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The Speaker announces the following additions to committees:

To the Committee on Rules: Mr. Neal.

To the Committee on Senatorial Districts: Mr. Moss.

To the Committee on Constitutional Amendments: Mr. Cox.

To the Committee on Agriculture: Mr. Galloway.

To the Committee on Roads: Mr. Crews.

To the Committee on Military Affairs: Mr. Aycock of Wake.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Bean: H. B. 115, A bill to be entitled An act to amend chapter 27, Public Laws 1927, changing the date of motor vehicle registration from December 31 to October 31, beginning in 1934.

Referred to the Committee on Public Roads.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 25, A bill to be entitled An act to reduce the reward for capture of stills in Beaufort County.

Passed its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 64, A bill to be entitled An act to amend section 1 of chapter 16 of the Public-Local Laws of 1927, relating to penalty for public drunkenness in Swain County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Pursuant to motion made by Mr. Johnson of Chatham at yesterday's session, the House adjourns until eight o'clock Monday night.

## ELEVENTH DAY

House of Representatives, Monday Night, January 16, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. McC. White, of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Harry Nettles of Buncombe County, former Member of the House.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 8, A bill to be entitled An act to amend chapter 3, Public Laws 1929, reducing the compensation of the clerks and other employees of the General Assembly by twenty per cent.

With unfavorable report as to original bill; favorable as to Committee substitute.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Scarborough: H. R. 116, Joint resolutions requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that the Congress balance its budget without further increase in the tax levies.

Referred to the Committee on Federal Relations.

By Mr. Watson: H. R. 117, Joint resolution calling on the Justices of the Supreme Court and Judges of the Superior Court to coöperate with the General Assembly in balancing the budget.

Referred to the Committee on Salaries and Fees.

By Messrs. Womble, Aycock of Wake and Douglass: H. B. 118, A bill to be entitled An act to amend section 1275, of the Consolidated Statutes of North Carolina, relative to only two witnesses for a single fact.

Referred to the Committee on Judiciary No. 2.

By Mr. Douglass: H. B. 119, A bill to be entitled An act to eliminate unnecessary expense by abolishing the Department of Conservation and Development, and to enlarge the duties of the Department of Agriculture.

Referred to the Committee on Reorganization of State Government.

By Mr. Doughton of Alleghany: H. B. 120, A bill to be entitled An act to raise revenue.

Referred to the Committee on Finance.

By Mr. Douglass: H. B. 121, A bill to be entitled An act to submit a proposed amendment to section 3, of article 5, of the Constitution of North Carolina, removing the limitation of tax on incomes.

Referred to the Committee on Constitutional Amendments.

By Messrs. Johnson of Chatham and Douglass: H. B. 122, A bill to be entitled An act to amend section 2, of article 10, of the Constitution of North Carolina, relating to homestead exemption from taxation.

Referred to the Committee on Constitutional Amendments.

By Mr. Cover: H. B. 123, A bill to be entitled An act to mark license plates for motor vehicles so as to distinguish the front plate from the rear plate.

Referred to the Committee on Roads.

By Mr. Gilliam: H. B. 124, A bill to be entitled An act to amend the Constitution of North Carolina, article 5, section 6, Exemptions, by striking out the word "three" in line five and inserting in its place the word "five," and by striking out the period after the word "property" in line eight, and insert "and a homestead, dwellings and buildings therewith, or other property, not exceeding one thousand dollars.

Referred to the Committee on Constitutional Amendments.

By Mr. Newman: H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes; and to reduce salaries of officers, employees, and agents.

Referred to the Committee on Appropriations.

By Mr. Thomas: H. B. 126, A bill to be entitled An act to expedite the trial of criminal cases and to dispense with jury trial therein.

Referred to the Committee on Judiciary No. 1.

By Messrs. Taylor of Mecklenburg, Boyd, Garibaldi, Randolph and Stevens: H. B. 127, A bill to be entitled An act to abolish or consolidate certain State commissions, bureaus or agencies as an economy measure.

Referred to the Committee on Reorganization of State Government.

By Messrs. Taylor of Mecklenburg and Randolph: H. B. 128, A bill to be entitled An act to provide for unincorporated beneficial organizations, associations, and/or societies to sue and be sued in common name.

Referred to the Committee on Insurance.

By Messrs. Randolph and Taylor of Mecklenburg: H. B. 129, A bill to be entitled An act to provide for service of process on all unincorporated organizations, associations and/or societies.

Referred to the Committee on Judiciary No. 2.

By Messrs. Taylor of Mecklenburg and Randolph: H. B. 130, A bill to be entitled An act to amend Consolidated Statutes 6518, relating to insurance societies, so as to bring certain excluded societies within the purview of the Insurance Law.

Referred to the Committee on Insurance.

By Messrs. Boyd and Taylor of Mecklenburg: H. B. 131, A bill to be entitled An act to repeal sub-sections 2 and 3, of section 442, of the Consolidated Statutes of North Carolina, providing for a two-year Statute of Limitations on actions for the recovery of usurious interest and for the forfeiture of all interest for usury.

Referred to the Committee on Judiciary No. 1.

By Messrs. Gilliam and Barden: H. B. 132, A bill to be entitled An act to amend section 24, sub-section 15, of chapter 145, Public Laws of 1931, by inserting in Classification 1, at the end of line 4, of sub-section 15, following the word "tractor" a comma, and striking out figures "(1)," "(2)" and "(3)" and lines 5 and 6 down to comma in line 6.

Referred to the Committee on Public Roads.

By Mr. Morphew: H. B. 133, A bill to be entitled An act to permit partial payments on delinquent taxes and to arrest the running of the Statute of Limitations upon such partial payments.

Referred to the Committee on Finance.

By Mr. Sullivan: H. B. 134, A bill to be entitled An act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County.

Referred to the Committee on Game.

And.

H. B. 135, A bill to be entitled An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

Referred to the Committee on Conservation and Development. And.

H. B. 136, A bill to be entitled An act to amend section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 137, A bill to be entitled An act to repeal chapter 21, Public-Local Laws, 1929, relating to Tales Jurors summoned to serve, either in Civil or Criminal Courts of Buncombe County.

Referred to the Committe on Courts and Judicial Districts.

H. B. 138, A bill to be entitled An act to amend section 2, chapter 275, Public-Local Laws, 1931, relating to the office of Constable of Asheville Township, Buncombe County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Gardner: H. B. 139, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Sprinkle: H. B. 140, A bill to be entitled An act to repeal chapter 175, of the Public-Local Laws of 1931, relative to Jury and Tax Commissions in Madison County, and chapter 183 of Public-Local Laws of 1931, providing a sinking fund commission in Madison County.

Referred to the Committee on Finance.

By Mr. Everett: H. B. 141, A bill to be entitled An act setting up the methods and processes for determining and imposing the Franchise Tax on Domestic and Foreign Corporations.

Referred to the Committee on Finance.

And.

H. R. 142, Joint resolution providing for the celebration of the Centennial of the laying of the corner stone of the North Carolina State Capitol.

Referred to the Committee on Library.

By Mr. Griffin: H. B. 143, A bill to be entitled An act to amend chapter 145, Public Laws of 1931, providing for the return of prisoners discharged from district prison camps to the county in which they were sentenced.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 144, A bill to be entitled An act to amend chapter 253 of the Private Laws, 1913, and chapter 159 of the Private Laws of 1917, relating to the boundaries of the Town of Rutherfordton.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cowles: H. B. 145, A bill to be entitled An act to amend section 8012 of the Consolidated Statutes of North Carolina, changing the time of sale of land for taxes in Wilkes County from the first Monday in May to the first Monday in October.

Referred to the Committee on Finance.

By Mr. Woodfin: H. B. 146, A bill to be entitled An act to abolish the office of Tax Collector and the Recorder's Court for Alexander County, and to fix the compensation of the county officers of said county.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Gattis: H. B. 147, A bill to be entitled An act to regulate the civil liability of the owner or operator of a motor vehicle for negligent injury to a guest.

Referred to the Committee on Public Roads.

And,

H. B. 148, A bill to be entitled An act to regulate recoveries in tort actions by guardians and other persons in loco parentis.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 149, A bill to be entitled An act to prescribe the punishment for the crime of kidnapping for ransom and to define the same.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 150, A bill to be entitled An act to empower the Supreme Court of North Carolina to regulate the practice and procedure in the Superior and Inferior Courts of the State.

Referred to the Committee on Courts and Judicial Districts.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 11, A bill to be entitled An act to repeal chapter 212, Public-Local Laws, 1929, creating the office of Tax Collector of Haywood County, and to provide for the collection of the taxes of said county.

On motion of Mr. Howell, the bill is placed upon its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. R. 68, A joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, and the amount of outstanding unpaid checks and obligations given said Department in payment of taxes and sums due the State of North Carolina.

Placed on the Calendar for concurrence in Senate amendment.

### MESSAGE FROM THE GOVERNOR

A message is received from the Governor, transmitting the budget, which message is ordered spread upon the Journal, and a copy thereof is referred to the Committee on Finance.

BUDGET MESSAGE OF GOVERNOR J. C. B. EHRINGHAUS TO THE GENERAL ASSEMBLY OF 1933

Mr. President, Mr. Speaker, and Members of the General Assembly:

In compliance with the provisions of our statutes, I transmit to you herewith the budget for the biennium from June 30, 1933, to June 30, 1935, for the fiscal years 1933-34 and 1934-35, as submitted by the outgoing administration. Accompanying it also are revenue and appropriation acts prepared in accord with the budget proposals.

These of course were all prepared upon the basis of a continuance of the present governmental set-up. With them is a vast quantity of valuable and most useful information which no doubt will aid you greatly in the task that is before you. These bills also will provide a beginning point from which you may direct your efforts.

While there is much contained in these reports with which I find myself in accord, I feel constrained to record my dissent to them in certain substantial particulars.

You will observe by reference to the budget, page 9, that "these recommendations as to balancing contemplate covering a probable deficiency, after repealing the fifteen-cent ad valorem property tax levy, of ten million dollars," for the year 1933-34, and substantially the same amount for the year 1934-35. You will observe also that the proposal to effect this contemplates:

	1933-34	1934-35
(a) Reducing General Fund Expenses	.\$ 3,000,000	\$ 3,000,000
(b) Refunding General Fund Bond Maturities	1,150,000	1,738,000
(c) Transfer of Highway Revenue	. 2,000,000	2,000,000
and		
(d) Replacing the 15-cent Property Tax with new		
levies	3,850,000	3,850,000
Totals	.\$10,000,000	\$10,588,000

In the very few hours since these were submitted to me, I have had no sufficient opportunity for a careful review of the detail of each of these proposals. A submission of such detail is neither necessary nor proper at this time. It will be sufficient for me to submit the following observations:

The action of the General Assembly, in line with my inaugural suggestion that "the whole field of governmental set-up should be carefully canvassed ... to the end that duplications of efforts may be avoided and eliminations and consolidations effected wherever practicable," increases the prospect of even greater economies than those herein proposed, and certainly will result in the elimination of various items for which provision is herein made. The appointment of strong and able committees by both branches of the Assembly has reassured the public mind and met with wide-spread approval. I feel confident that out of this enterprise will come a real substantial economy and the more accurate appraisal of what may thus be saved is, in my judgment, the first step in your preparation of budget, appropriation, and revenue measures for the next biennium. I am impressed, too, with the idea that the reductions here proposed follow too largely the idea of horizontal decreases without considering, as is vital, the difference between the essential and non-essential services. In this connection, 1 venture to repeat my suggestion that this General Assembly will do well, if it will—even as to those for which it finally makes provision—"classify governmental activities into essential and non-essential classes," with provision for budgetary discrimination as therein pointed out. I am also of the opinion that all salary reductions should be graduated.

#### NEW TAXES

These measures propose a substantial increase in tax levies. While I have no objection to readjustments which do not add to present burdens or which effectuate their more equitable distribution or to corrections of manifest errors or to levies upon enterprises which have heretofore escaped taxation, I do not think that substantial levies, involving new burdens, should be considered unless and until every effort has been exhausted for economy consistent with the preservation of essential services and activities. Until we have definitely determined how much we can save and only then will we be justified in considering the imposition upon our people of the burden which such new levies will entail. If this unhappy necessity should finally eventuate, then such levies should be "ear-marked" for the essential services for which required. And, it should be made plain also that such levies are temporary and emergency levies only. Under no consideration should we permit these to be considered or construed as invitations to spending agencies to raise or maintain spending levels. A substantial economy is not only imperative but it is the first step in budget balancing.

#### THE TRANSFER OF HIGHWAY FUNDS

You will observe that this budget proposes to divert two million dollars of highway funds to the general fund of the State as a means of balancing the budget. I cannot give my approval to this suggestion. An indirect diversion is just as objectionable as one directly made. My reasons for this opposition need not be here set forth at length. In the main they have been indicated in my inaugural message. However, it is proper to observe here that in view of the rapid decrease in highway revenues which has been noted since July 1, last, it would seem that the prospect of any such surplus above debt service and reasonable maintenance cost is too insubstantial to warrant us in accepting this provision as a basis of budget balancing. As a further evidence of the possibility of continued decreases and the uncertainty of supposing that we shall have the same revenue next year as last in this fund, there has recently been prepared a statement covering the sales of new passenger cars and trucks in North Carolina for several years past. Here are the figures:

Year	Passenger	Trucks	Total
1925	64,537	5,904	70,441
1926	66,296	6,440	72,736
1927	59,877	7,340	67,217
1928	57,607	7,010	64,617
1929	64,171	9,609	73,780
1930	33,768	6,483	40,251
1931	28,088	6,821	34,909
1932	15,300	3,698	18,998

You will see from this table that the past year has shown a decrease in sales of new automobiles and trucks to the point where it is less than one-third of the peak. This is strong indication of the reasonable probability of an even greater shrinkage. The estimates of probable revenues as set out

on pages 60 and 61 of the budget here transmitted lends further proof and probability to this suggestion.

#### REFUNDING OF GENERAL FUND MATURITIES

I must call your attention also to the fact as appears from a perusal of this budget, that the balancing here proposed contemplates the refunding of our general fund bond maturities during the next biennium amounting to \$1,150,000 for the fiscal year 1933-34 and \$1,738,000 for the fiscal year 1934-35. Most respectfully, but emphatically, I suggest that this does not constitute a balanced budget. Certainly, it does not accord with my idea of the necessities of the present situation if we are to preserve our credit and set up a really balanced budget. It is not difficult to differentiate between the funding of a casual deficit—even one as large as we have presently accumulated—and the funding of a maturing obligation. Our casual deficit is due to unprecedented economic conditions, universally present, and resulting in unforeseen and largely unforeseeable shrinkage in revenue. The funding of a casual deficit is a recognized practice in the world of sound finance. The refunding of maturing obligations is there regarded as an evidence of financial instability.

There are other things which might be said here, but these are sufficient and I refrain for the further reason that I am anxious to get these measures before you at the earliest possible moment, to the end that you may promptly proceed with your labors.

Let me repeat, because it seems to me that it cannot be too greatly emphasized, that it is imperatively necessary that this Legislature should match its appropriations with its provisions and provide for an undeniably balanced budget. If the set-up which should be finally adopted is predicated upon what in reasonable probability may be classified as an uncertainty, or is built upon the basis of refunding maturing obligations, our whole financial structure is jeopardized and the credit of the State imperiled. We can never hope to float the bonds necessary to cover our accumulated casual deficit or to make such short term borrowings as may be necessary from time to time; we can never hope to obtain such financing as we need upon reasonable interest terms, unless and until we have provided a budget balanced upon the basis of substantial certainty. With this done, and with a real economy program, we can look hopefully towards the future.

(Signed) J. C. B. EHRINGHAUS,

Governor.

Monday, January 16, 1933.

### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House:

H. B. 59, A bill to be entitled An act to regulate lobbying.

Mr. Gilliam offers two amendments which are lost.

Mr. Cherry offers an amendment which is adopted.

The question now recurs upon the passage of the bill, as amended, on its second reading.

Upon this question, Mr. Ewing calls for the "ayes" and "noes." The call is sustained, and the bill as amended passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gattis, Grady, Graeber, Graham, Grant, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender. Ledford, Lee, Lumpkin, Makepeace, Massenburg, Mebane, Monroe, Moore, Moss, Moye, McEachern, McLauchlin, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus. Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-105.

Those voting in the negative are: Messrs. Brawley, Garrou, James, Murphy, Neal and Newman—6.

The question now recurs upon the passage of the bill on its third reading. The bill, as amended, passes its third reading, and is ordered Engrossed, and sent to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 11, A bill to be entitled An act to abolish penalties for non-payment of taxes.

A minority report having been filed, the question recurs upon the adoption of said report.

Upon this, Mr. Bowie calls for the "ayes" and "noes." The call is sustained, and the minority report is adopted, by the following vote; and the bill remains on the Calendar for its several readings.

Those voting in the affirmative are: Messrs. Aycock of Wayne, Barden, Bean, Beasley, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cover, Cowles, Davis, Dees, Douglass, Dowtin of Warren, Eaton, Edwards, English, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Gattis, Grady, Graham, Grant, Howell, Ingram, Johnson of Chatham, Ledford, Lee, Lumpkin, Mebane, Monroe, Morphew, Murphy, McLauchlin, Neal, Newman, Oaks, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Iredell, Williams, Womble and Woodall—62.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Berryman, Cherry, Coffey, Cox, Crews, Culpepper, Doughton of Alleghany, Eagles, Etheridge, Everett, Falkner, Froneberger, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Haynes, Hoyle, James, Johnson of Pender, Massenburg, Moore, Moss, McEachern, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Ruark, Taylor of Currituck, Taylor of Halifax, Thompson

of Columbus, Turner of Guilford, Vann, Warlick, Watson, White, Wilson and Young-47.

## ENROLLED BILLS

Mr. Woodfin, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 112. An act to repeal Section 2 of Senate Bill 8, relative to the Superior Courts of Pasquotank and Beaufort counties, said bill having been passed and ratified January 11, 1933.

On motion of Mr. Massenburg, the House adjourns until twelve o'clock tomorrow.

# TWELFTH DAY

House of Representatives, Tuesday, January 17, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. C. Moye of Greene County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### STATEMENT BY MEMBER

Having noticed in the press and also the Journal entries in the Clerk's office that I failed to vote on the bill to regulate lobbying which was considered by the House by Special Order Monday night, January 16, in justice to myself, I desire to make the following statement and request that same be inserted in the Journal.

Regardless of what the press has said or what the official roll call on this bill discloses, I am positive that I voted for the bill. My recollection has been verified by members occupying seats adjoining my own seat. It is true that the roll call was verified, and if my name was omitted from the list of members recorded as voting "aye" on the bill, I did not detect it. No blame is attached to anyone, but, in justice to myself, I desire the Journal to show my position regarding this matter.

## Respectfully,

(Signed) J. W. GILLIAM, JR.

On motion of Mr. Grant, H. B. 73, A bill to be entitled An act to amend Section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children, is recalled from the Engrossing office, and the vote by which the bill passed its third reading is reconsidered, the vote by which the amendment was adopted is reconsidered, and the bill remains on the Calendar for its third reading.

Mr. Grant offiers an amendment which is adopted, and as amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 59, A bill to be entitled An act to regulate lobbying.

#### REPORT OF RULES COMMITTEES

Mr. Cox, for the Committee on Rules, begs leave to report that at a meeting of the Rules Committee, a majority being present, it unanimously recommended the naming of a new standing committee entitled "Committee on Caswell Training School."

The Committee further recommends that the Clerk of the House have Committee stationery printed for the Chairman of the various committees entitled to clerks under the rules of the House.

The Committee recommends the adoption of this report.

The report is adopted.

### COMMITTEE APPOINTMENT

Pursuant to report from the Committee on Rules, the Speaker announces the appointment of the following committee:

Caswell Training School—Mr. Rouse, Chairman, Messrs. Thompson of Beaufort, Lee, Barden, English, Dees, Aycock of Wayne, Boswell, Hamilton, Mizzell, Moye.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Smith: H. B. 151, A bill to be entitled An act amending Section 2354, Consolidated Statutes, relating to notice to quit in certain tenancies.

Referred to the Committee on Judiciary No. 1.

By Mr. Gardner: H. B. 152, A bill to be entitled An act to give the Commissioners of Cleveland County the power to abolish and consolidate all unnecessary offices in Cleveland County, and to give the Commissioners of said County the right to fix the salaries of all County officers.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Davis and Cameron: H. B. 153, A bill to be entitled An act releasing owners of motor vehicles from responsibility for injuries to passengers therein under certain conditions.

Referred to the Committee on Judiciary No. 2.

By Mr. Haynes: H. B. 154, A bill to be entitled An act to validate certain acts of the Board of Commissioners of the Town of Elkin.

Referred to the Committee on Finance.

By Mr. Boswell: H. B. 155, A bill to be entitled An act to amend Section 65 (a) of Volume Three of the Consolidated Statutes, relating to

payment to Clerk of sums not exceeding three hundred dollars due intestates, making the same apply to Wilson County.

Referred to the Committee on Judiciary No. 1.

By Messrs. Wilson and Doughton of Alleghany: H. B. 156, A bill to be entitled An act to amend Section 5947 of the Consolidated Statutes, relative to time of opening of registration books in Caswell and Alleghany counties.

Referred to the Committee on Election Laws.

By Messrs. Wilson and Womble: H. B. 157, A bill to be entitled An act to amend Chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars.

Referred to the Committee on Roads.

By Messrs. Wilson, Womble and Thompson of Columbus: H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

Referred to the Committee on Finance.

By Mr. Hutchins: H. B. 159, A bill to be entitled An act to repeal Chapter 430 of the Public-Local Laws of 1931, relating to the Tax Commission in Yancey County.

Referred to the Committee on Counties, Cities and Towns. And.

H. B. 160, A bill to be entitled An act to repeal Chapter 38, of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

Referred to the Committee on Propositions and Grievances.

By Mr. Beasley: H. B. 161, A bill to be entitled An act to amend Chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors. Referred to the Committee on Manufacturing and Labor.

By Mr. Randolph: H. B. 162, A bill to be entitled An act to repeal the dog law as applies to Swain County.

Referred to the Committee on Propositions and Grievances.

By Mr. Ingram: H. B. 163, A bill to be entitled An act to amend Section 3, Chapter 26, Private Laws of 1905, as amended by Section 2, Chapter 189, Private Laws, 1915, relating to the number of Aldermen for the Town of Franklin in Macon County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. James: H. B. 164, A bill to be entitled An act to amend Section 1, Chapter 176, of the Public Laws of 1931, relating to the zoning of certain properties so as to include Forsyth County in the list of exempted counties.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Allen: H. B. 165, A bill to be entitled An act to place Mrs. Lucy May Walker of Granville County on the pension roll.

Referred to the Committee on Pensions.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 13, A bill to be entitled An act to amend Section 1673 of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain Counties.

Referred to the Committee on Finance.

S. R. 57, Joint Resolution, providing for the celebration of the Centennial of the laying of the Corner stone of the North Carolina State Capitol.

Referred to the Committee on Library.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee Substitute for H. B. 8, A bill to be entitled An act to amend Chapter 3, Public Laws of 1929, reducing the compensation of the clerks and other employees of the General Assembly by twenty per cent.

Committee Substitute adopted.

An amendment offered by Mr. Murphy is lost.

The Substitute bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 11, A bill to be entitled An act to abolish penalties for non-payment of taxes.

The question now recurs upon the passage of the bill on its second reading.

Upon this question, Mr. Bowie calls for the "ayes" and "noes."

The call is sustained, and the bill fails to pass its second reading by the following vote:

Those voting in the affirmative are: Messrs. Barden, Bean, Beasley, Bender, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cover, Cowles, Davis, Dees, Douglass, Dowtin of Warren, Eaton, Edwards, Flanagan, Galloway, Gardner, Garibaldi, Graham, Grant, Hutchins, Ingram, Johnson of Chatham, Ledford, Lee, Lumpkin, Monroe, Morphew, Moye, McLauchlin, Neal, Oaks, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Iredell, Williams and Woodall—54.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Berryman, Binford, Boswell, Cherry, Coffey, Cox, Crews, Culpepper, Doughton of Alleghany, Eagles, English, Everett, Ewing, Falkner, Froneberger, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, James, Johnson of Pender, Makepeace, Martin, Massenburg, Mebane, Moore, Moss, Murphy, McEachern, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Ruark, Taylor of Currituck, Taylor of Halifax, Thompson of Columbus, Turner of Guilford, Vann, Warlick, Watson, White, Wilson, Womble, Woodfin and Young—62.

On motion of Mr. Turner of Guilford, the vote by which the bill failed to pass its second reading is reconsidered, and that motion is laid on the table.

### ENROLLED BILLS

Mr. Turner of Iredell, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 11, An act to repeal Chapter 212, Public-Local Laws, 1929, creating the office of Tax Collector of Haywood County, and to provide for the collection of the taxes of said County.

H. B. 19, An act fixing the compensation of Presidential Electors.

On motion of Mr. Ewing, the House adjourns until twelve o'clock tomorrow.

## THIRTEENTH DAY

House of Representatives, Wednesday, January 18, 1933.

The House meets pursuant to adjournment, and is called to order by Principal Clerk, Thad Eure, in the absence of Mr. Speaker Harris who designated Mr. Moss, the Gentleman from Nash, as Speaker *pro tempore*.

Prayer by Representative J. W. Gilliam, Jr., of Alamance County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Paul R. Raper, former Member of the House from Davidson County, Mr. W. H. S. Burgwyn, former Senator from Northampton County, Mr. Peyton McSwain, former Member from Cleveland County, and Mr. H. D. Townsend, former Member from Davidson County.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns.

H. B. 65, A bill to be entitled An act to repeal Chapter 461 of the Public-Local Laws of 1931, being An act to appoint Edward D. Davis Special Enforcement Officer for Warren County for a term of 2 years.

And,

H. B. 91, A bill to be entitled An act to authorize the Mayor and Board of Aldermen of the Town of Waynesville to sell the Chestnut and Pulp timber on the town water shed.

And.

H. B. 44, A bill to be entitled An act to repeal Chapter 199 of the Public Laws of 1893, relating to the meetings of the Board of County Commissioners of Mecklenburg County.

And,

H. B. 41, A bill to be entitled An act to repeal Chapter 108, Public-Local Laws of North Carolina, Session of 1899, relating to the office of cotton weigher for the City of Charlotte, and to abolish said office.

And,

H. B. 76, A bill to be entitled An act to combine the Tax Collecting offices of Mecklenburg County and the City of Charlotte, and the office of Treasurer of Mecklenburg County.

And,

H. B. 163, A bill to be entitled An act to amend Section 3, Chapter 26, Private Laws of 1905, as amended by Section 2, Chapter 189, Private Laws of 1915, relating to the number of Aldermen of Franklin in Macon County. With favorable reports.

And,

H. B. 108, A bill to be entitled An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.

The Committee recommends the bill be recommitted to the Committee on Election Laws.

It is so ordered.

And,

H. B. 101, A bill to be entitled An act to amend Chapter 59, Private Laws of North Carolina, Session of 1913, relating to city elections in the City of Raleigh.

The Committee recommends the bill be recommitted to the Committee on Election Laws.

It is so ordered.

By Mr. Cherry, for the Committee on Roads:

H. B. 77, A bill to be entitled An act to amend Section 24, Subsection 15, of Chapter 145 Public Laws of 1931, by inserting in Classification One, following comma in line 5 of Subsection 15 "or any other stationary engine."

With an unfavorable report.

And,

H. B. 147, A bill to be entitled An act to regulate civil liability of the owner or operator of a motor vehicle for negligent injury to a guest.

The Committee recommends that the bill be recommitted to the Committee on Judiciary No. 1.

It is so ordered.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 155, A bill to be entitled An act to amend Section 65(a) of Volume Three of the Consolidated Statutes relating to payment to clerk of sums not exceeding Three Hundred Dollars due intestates, making the same apply to Wilson County.

And.

H. B. 90, A bill to be entitled An act to add Davidson County to Chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks and to amend the said law.

And.

H. B. 110, A bill to be entitled An act to prohibit the practicing of law by Registers of Deeds, being an amendment to Chapter 4, Section 198, of the Consolidated Statutes.

And,

H. B. 126, A bill to be entitled An act to expedite the trial of criminal cases and to dispense with jury trial therein.

And,

H. B. 15, A bill to be entitled An act to repeal Chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants."

And,

H. B. 14, A bill to be entitled An act to repeal Chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

With favorable reports.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 129, A bill to be entitled An act to provide for service of process on all unincorporated organizations, assocations and/or societies.

With a favorable report.

And,

H. B. 153, A bill to be entitled An act releasing owners of motor vehicles from responsibility for injuries to passengers therein under certain conditions.

With an unfavorable report.

And,

H. B. 62, A bill to be entitled An act to repeal Chapter 29, Private Laws 1907, relating to the Charter of the Town of Whittier in Swain and Jackson counties.

With a favorable report.

And,

H. B. 67, A bill to be entitled An act to provide for combined notices of sales in tax foreclosure actions.

The Committee recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 73, A bill to be entitled An act to amend Section 1802 of the Consolidated Statutes relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Cameron and Davis: H. R. 166, A joint resolution memorializing the Congress of the United States to exercise to the fullest extent the powers conferred upon it by the Federal Constitution, to regulate and fix the value of money, and to promote the general welfare to the end that the commodity price level may be lifted, collossal bankruptcies prevented, and our social, economic and governmental structure preserved.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Beasley: H. B. 167, A bill to be entitled An act to repeal the absentee ballot law.

Referred to the Committee on Election Laws.

By Messrs. Moore, Hayes, and Turner of Guilford: H. B. 168, A bill to be entitled An act to extend the time for payment of 1933 motor vehicle licenses until March 1, 1933.

Referred to the Committee on Finance.

By Messrs. Johnson of Chatham, and Gilliam: H. B. 169, A bill to be entitled An act to amend Section 3 of Article 5 of the Constitution of North. Carolina, relating to tax on income.

Referred to the Committee on Constitutional Amendments.

By Mr. Johnson of Chatham: H. B. 170, A bill to be entitled An act to amend Section 4233 of the Consolidated Statutes, relating to punishment for first degree burglary.

Referred to the Committee on Judiciary No. 1.

By Mr. Braddy: H. B. 171, A bill to be entitled An act relating to the nomination and election of commissioners of Bladen County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Randolph: H. B. 172, A bill to be entitled An act to govern the introduction of confessions.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 173, A bill to be entitled An act to place liabilities on corporations, associations and/or persons in placing limited authority on their agents.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 174, A bill to be entitled An act to prevent contributory negligence from a bar to recovery for damages.

Referred to the Committee on Judiciary No. 2.

By Messrs. O'Berry and Johnson of Pender: H. B. 175, A bill to be entitled An act to amend Section 32 of Chapter 60, Public Laws 1931, relating to and declaring liability of public officials with respect to funds of a unit deposited in banks and trust companies, designated as depository or depositories of such unit.

Referred to the Committee on Finance.

By Mr. Hamilton: H. B. 176, A bill to be entitled An act to amend the negotiable instruments law, relating to the liability of drawers of checks. Referred to the Committee on Banks and Banking.

And.

H. B. 177, A bill to be entitled An act to allow comparative damages in jury trials where contributory negligence is pleaded.

Referred to the Committee on Judiciary No. 1.

By Mr. Taylor of Currituck: H. B. 178, A bill to be entitled An act to provide for the better collection of dog and poll taxes in Currituck County. Referred to the Committee on Finance.

And

H. B. 179, A bill to be entitled An act authorizing the Commissioners of Currituck County to appoint a Prosecuting Attorney for said county.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 180, A bill to be entitled An act to repeal Chapter 23, Public-Local Laws, Extra Session 1924, relating to rural policemen in Currituck County. Referred to the Committee on Counties, Cities and Towns.

By Mr. Hoyle: H. B. 181, A bill to be entitled An act to repeal Chapter 601 of Public-Local Laws 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Gardner: H. B. 182, A bill to be entitled An act to limit the liability of Cleveland County for court costs.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Taylor of Halifax and Pope: H. B. 183, A bill to be entitled An act to adjust certain assessments for street improvements in the Town of Scotland Neck.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Pope, and Taylor of Halifax: H. B. 184, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Scotland Neck.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 185, A bill to be entitled An act relating to the payment of obligations to the Town of Scotland Neck.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Eaton: H. B. 186, A bill to be entitled An act for the relief of Ex-Sheriff C. E. Moxley of Yadkin County.

Referred to the Committee on Finance.

By Messrs. Graham, and Thompson of Robeson: H. B. 187, A bill to be entitled An act to authorize the Board of Commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Massenburg: H. B. 188, A bill to be entitled An act to amend Section 6088 of the Consolidated Statutes, relating to the reapportionment of Members of the House of Representatives of the General Assembly of North Carolina, as provided for in the Constitution of the State.

Referred to the Committee on Senatorial Districts.

By Mr. Boswell: H. B. 189, A bill to be entitled An act to amend Chapter 88, Public Laws 1915, relating to the eradication of hog cholera in Wilson County.

Referred to the Committee on Health.

By Mr. Hutchins: H. B. 190, A bill to be entitled An act to repeal the absentee ballot law for Yancey County.

Referred to the Committee on Election Laws.

### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 14, A bill to be entitled An act to amend the Vital Statistics Law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts, and for other purposes.

Referred to the Committee on Health.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 36, A bill to be entitled An act to repeal certain provisions of Section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 42, A bill to be entitled An act to amend Section 948, Volume One, of the Consolidated Statutes relative to requiring the clerk to mail Calendars to attorneys of record who reside out of his county.

Passes its second reading, and remains on the Calendar.

H. R. 68, A Joint Resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, and the amount of the outstanding unpaid checks and obligations given said Department in payment of taxes and sums due the State of North Carolina.

For concurrence in the Senate Amendment.

On motion of Mr. Taylor of Mecklenburg, the House concurs in the Senate Amendment and the bill is ordered Enrolled.

H. B. 75, A bill to be entitled An act relating to the holding of the Superior Courts of Davidson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Wilson, the House adjourns until 12 o'clock tomorrow.

## FOURTEENTH DAY

House of Representatives, Thursday, January 19, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Oscar Pitts, of Catawba County, and Mr. John S. Butler, of Robeson County, former Members of the House.

Leave of absence is granted to Mr. Ruark; until next Monday.

### MESSAGE FROM THE GOVERNOR

A message is received from His Excellency, Governor J. C. B. Ehringhaus, transmitting the report of the North Carolina Constitutional Commission, which report is referred to the Committee on Constitutional Amendments.

(A copy of the report was not furnished for the Journal.)

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton of Alleghany, for the Committee on Finance:

H. B. 154, A bill to be entitled An act to validate certain acts of the Board of Commissioners of the Town of Elkin.

And,

H. B. 175, A bill to be entitled An act to amend section 32 of chapter 60, Public Laws 1931, relating to and declaring liability of public officials with respect to funds of a unit deposited in banks and trust companies, designated as depository or depositories of such unit.

With favorable reports.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 95, A bill to be entitled An act to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

The committee recommends that the bill be recommitted to the Committee on Judiciary No. 2.

It is so ordered.

And,

H. B. 183, A bill to be entitled An act to adjust certain assessments for street improvements in the Town of Scotland Neck.

And,

H. B. 184, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Scotland Neck.

And.

H. B. 185, A bill to be entitled An act relating to the payment of obligations to the Town of Scotland Neck.

And.

H. B. 66, A bill to be entitled An act relating to the appointment of tax collectors for Hertford County.

And.

And.

H. B. 97, A bill to be entitled An act to regulate the selection of a County Commissioner from each township in Hertford County.

H. B. 32, A bill to be entitled An act relating to the Superintendent of the County Convict Farm of Hertford County.

And,

H. B. 53, A bill to be entitled An act providing for consolidation of counties in the State of North Carolina, and reducing the cost of government therein.

And,

H. B. 138, A bill to be entitled An act to amend section 2, chapter 275, Public-Local Laws, 1931, relating to the office of Constable of Asheville Township, Buncombe County.

With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Aycock of Wayne: H. R. 191, Joint resolution inviting attendance at the presentation of the portrait of Nathan O'Berry, late Treasurer of the State of North Carolina.

Passed first reading.

Rules suspended.

Passes it's second and third readings and ordered sent to Senate without Engrossment.

By Mr. Johnson of Chatham: H. B. 192, A bill to be entitled An act to forbid the employment by any state, county or municipal government of any woman whose husband has an income of more than one hundred twenty-five dollars a month.

Referred to the Committee on Propositions and Grievances.

By Mr. Gatling: H. B. 193, A bill to be entitled An act to amend chapter 88, Private Laws, 1923, re-enacting sections one and two thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the Town of Gatesville.

Referred to the Committee on Finance.

By Mr. Morphew: H. B. 194, A bill to be entitled An act to amend the Machinery Act with reference to penalty for failure to list intangible personal property.

Referred to Committee on Finance.

By Mr. Howell: H. B. 195, A bill to be entitled An act to amend chapter 212, Public-Local Laws, 1929, relating to bond of Tax Collector in Haywood County.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 196, A bill to be entitled An act to amend section 24 of chapter 145, Public Laws, 1931, relating to refund on motor fuels.

Referred to the Committee on Roads.

By Mr. Martin: H. B. 197, A bill to be entitled An act to declare Senators and Representatives ineligible for any State office which was created, or the emoluments of which were increased during the time for which they were elected.

Referred to the Committee on Reorganization of State Government.

By Messrs. Martin and Sullivan: H. B. 198, A bill to be entitled An act to authorize county authorities to revalue property for taxation in certain cases.

Referred to the Committee on Finance.

By Messrs. O'Berry, Murphy, Aycock of Wayne, Davis, Johnson of Pender and Cameron: H. B. 199, A bill to be entitled An act releasing owners of motor vehicles from responsibility for injuries to passengers therein.

Referred to the Committee on Judiciary No. 1,

By Mr. Dees: H. B. 200, A bill to be entitled An act prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County.

Referred to the Committee on Oyster Industry.

By Mr. Cover: H. B. 201, A bill to be entitled An act to repeal chapter 134, Public-Local Laws, 1927, relating to enforcement of the Prohibition Law in Cherokee County.

Referred to the Committee on Propositions and Grievances.

By Mr. Hamilton: H. B. 202, A bill to be entitled An act to repeal section 237 of chapter 5 of the Consolidated Statutes of North Carolina, relating to individual liability of stockholders of banks.

Referred to the Committee on Banks and Banking.

By Mr. Douglass: H. B. 203, A bill to be entitled An act relative to the drawing of Grand Jurors in Wake County.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Graham and Thompson of Robeson: H. B. 204, A bill to be entitled An act to consolidate the collection of current and delinquent taxes now collected by the Sheriff and Register of Deeds of Robeson County by the appointment of a Revenue and Tax Assistant to the County Manager.

Referred to the Committee on Finance.

By Mr. Hutchins: H. B. 205, A bill to be entitled An act to repeal chapter 174, Public-Local Laws, session 1927, being "An Act to repeal the County Primary Law for Caldwell and Yancy Counties," and chapter 413, Public-Local Laws of 1929, amendatory to said chapter 174.

Referred to the Committee on Election Laws.

By Mr. Bean: H. B. 206, A bill to be entitled An act to protect delinquent taxpayers from loss of property during the present emergency, and to assist counties, cities and town to collect delinquent taxes.

Referred to the Committee on Finance.

By Mr. White: H. B. 207, A bill to be entitled An act to validate the action of the Commissioners of the Town of Jackson, Northampton County, in postponing the sale of land for taxes for the years 1930 and 1931.

Referred to the Committee on Finance.

And.

H. B. 208, A bill to be entitled An act to amend chapted 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the County of Northampton under the provisions of this act.

Referred to the Committee on Judiciary No. 2.

By Mr. Vann: H. B. 209, A bill to be entitled An act to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

Referred to the Committee on Judiciary No. 2.

By Messrs. Wilson, Binford and Mrs. Mebane: H. B. 210, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the terms of Court for Caswell County and Rockingham County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Aycock of Wake: H. B. 211, A bill to be entitled An act to amend the preamble and the several sections of the Constitution of North Carolina.

Referred to the Committee on Constitutional Amendments.

By Messrs. O'Berry and Aycock of Wayne: H. B. 212, A bill to be entitled An act to provide for the office of Tax Collector and to fix the salaries of officers, and validate the tax sales of land in Wayne County.

Referred to the Committee on Finance.

By Mr. Randolph: H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountains National Park.

Referred to the Committee on Finance.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 50, A bill to be entitled An act to amend chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of Sanitary Districts and prescribing the powers of such districts.

Referred to the Committee on Health.

S. B. 55, A bill to be entitled An act to amend section 3893 of the Consolidated Statutes of North Carolina relating to fees of witnesses.

Referred to the Committee on Judiciary No. 2.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 14, A bill to be entitled An act to repeal chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and provide for the physical examination of applicants."

Passes its second reading, and remains on the Calendar.

H. B. 41, A bill to be entitled An act to repeal chapter 108, Public Local Laws of North Carolina, Session 1899, relating to the office of Cotton Weigher for the City of Charlotte, and to abolish said office.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 62, A bill to be entitled An act to repeal chapter 29, Private Laws 1907, relating to the charter of the Town of Whittier, in Swain and Jackson Counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 65, A bill to be entitled An act to repeal chapter 461 of the Public-Local Laws of 1931, being An act to appoint Edward D. Davis Special Enforcement Officer for Warren County for a term of two years.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 76, A bill to be entitled An act to combine the tax collecting offices of Mecklenburg County and the City of Charlotte and the Office of Treasurer of Mecklenburg County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 42, A bill to be entitled An act to amend section 948, Volume One, of the Consolidated Statutes, relative to requiring the clerk to mail Calendars to attorneys of record who reside out of his county.

An amendment offered by Mr. Hutchins is adopted.

On motion of Mr. Makepeace, the bill and amendment are laid on the table.

H. B. 44, A bill to be entitled An act to repeal chapter 199, of the Public Laws of 1893, relating to the meetings of the Board of County Commissioners of Mecklenburg County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 90, A bill to be entitled An act to add Davidson County to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks and to amend the said law.

Amendments offered by several Members are adopted.

The bill, as amended, passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 91, A bill to be entitled An act to authorize the Mayor and Board of Aldermen of the Town of Waynesville to sell the chestnut and pulp timber on the town watershed.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 155, A bill to be entitled An act to amend section 65(a) of Volume III of the Consolidated Statutes, relating to payment to clerk of sums

not exceeding three hundred dollars due intestates, making the same apply to Wilson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 163, A bill to be entitled An act to amend section 3, chapter 26, Private Laws of 1905, as amended by section 2, chapter 189, Private Laws of 1915, relating to the number of Aldermen for the Town of Franklin in Macon County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 110, A bill to be entitled An act to prohibit the practicing of law by Registers of Deeds, being an amendment to chapter 4, section 198, of the Consolidated Statutes.

Passes its second reading, and remains on the Calendar.

H. B. 129, A bill to be entitled An act to provide for service of process on all unincorporated organizations, associations and/or societies.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 8, An act to amend chapter 3, Public Laws of 1929, reducing the compensation of the clerks and other employees of the General Assembly twenty per cent.

H. B. 74, An act to amend the law relating to the Recorder's Court for the County of Carteret.

H. B. 152, An act to give the Commissioners of Cleveland County the power to abolish and consolidate all unnecessary offices in Cleveland County, and to give the Commissioners of said county the right to fix the salaries of all county officers.

H. B. 164, An act to amend section 1, chapter 176, of the Public Laws of 1931, relating to the zoning of certain properties so as to include Forsyth County in the list of exempted counties.

H. R. 68, A joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina.

On motion of Mr. Gattis, H. B. 189, a bill to be entitled An act to amend chapter 88, Public Laws, 1915, relating to eradication of hog cholera in Wilson County, is taken from the Committee on Health and recommitted to the Committee on Counties, Cities and Towns.

On motion of Mr. Johnson of Chatham, H. B. 84, a bill to be entitled An act, to amend section 1 of chapter 336, Public Laws 1931, providing for the reduction of license fees on automobiles, is taken from the Committee on Public Roads and recommitted to the Committee on Finance.

Pursuant to motion made by Mr. Murphy, the House now adjourns in honor of the memory of the birthday of General Robert E. Lee, and, on motion of Mr. McEachern, will meet tomorrow at 12:00 o'clock.

## FIFTEENTH DAY

House of Representatives, Friday, January 20, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Messrs. Henry B. Edwards and J. A. Williamson, former Members of the House.

### REPORTS OF COMMITTEES

Pursuant to Senate Resolution No. 1, the special Committee of the Senate and House on Reorganization of State Government, makes the following report, which is adopted:

To the General Assembly of North Carolina:

Your Joint Committee on Reorganization of State Government respectfully submits for your consideration the following report:

The General Assembly having already passed such legislation as could become effective for a reduction in the salaries of the Governor and Constitutional State Officers and your Committee regarding such reductions as consistent with the remaining recommendations of the Committee do not further refer to these officers in the general scheme of economy which your Committee undertakes to present and in this report will undertake to take the several departments of government to which they will refer in the order in which the same are set up in the Budget Appropriation Bill submitted at this session.

## Governor's Office

- 1. Your Committee recommend that the position of Executive Counsel shall be abolished.
- 2. Your Committee recommend that the office of the Director of the Department of Personnel shall be abolished and that the duties and functions of this department shall be transferred to the Budget Bureau.
- 3. We respectfully recommend that the Budget Bureau now being under the Governor's supervision and control, shall have its offices in the Capitol adjacent to the Governor's office so that he may at all times have contact therewith, and your Committee recommend for this purpose that this Bureau shall be assigned to the offices in the Capitol Building now occupied by the Treasurer.
- 4. We recommend that the office of Superintendent of State-owned farms shall be abolished.

# Secretary of State

- 5. Your Committee respectfully recommend that the office of the Secretary of the State Board of Elections shall be transferred to the Secretary of State's office, and his functions and duties shall be performed by the Secretary of State as an extra duty of his office, without additional compensation, and if legislation is necessary for this purpose then that such legislation shall be immediately enacted by this General Assembly.
- 6. The Secretary of State now the secretary to the Board on Public Buildings and Grounds shall be charged with the management and care of public buildings and grounds, with full responsibility therefor subject to the directions of the Board and subject to the control of the Director of the Budget, and it is respectfully recommended that in many of the labors incident to the preservation of the grounds and buildings convict labor should be used in a part of this work with great economy to the State, and this Committee recommend that such legislation be adopted as may be necessary to carry into operation this recommendation so that the expenses of this department may be substantially reduced.

### State Treasurer

- 7. It is recommended by your Committee that there shall be transferred to the State Treasurer the duties and functions of the Director of the Local Government Commission and that the duties and administration of this office shall be administered by the State Treasurer without other or additional compensation from the State and in connection with his office as Treasurer.
- 8. We recommend that the office of the Treasurer be moved to the Revenue Building, where space shall be provided.
- 8-a. Your Committee recommend that the World War Veterans' Loan Fund be transferred to the State Treasurer's office, and that the office of Commissioner of the World War Veterans' Loan Fund be consolidated with that of the State Treasurer without additional compensation.

## Tax Commission

8-b. Your Committee recommend that the Tax Commission shall be abolished, and that the essential duties of this Commission shall be transferred to the Department of Revenue without any appropriation therefor, and the Commissioner of Revenue shall make a biennial report on the tax situation without any additional expense to the State.

## Attorney General

9. It is recommended that the Attorney General shall be the legal adviser to the Governor and all departments, bureaus, agencies and commissions of the State and shall at all times represent the State in all matters in which it may be interested; and shall have the Assistant Attorneys General as now provided by law. No department, agency, bureau or commission of the State shall employ any regular, special or any other counsel except by and with the advice and approval of the Governor and the Attorney General.

10. That the Department of the Legislative Reference Librarian shall be transferred to the Department of the Attorney General, and the Legislative Reference Librarian shall in addition to the duties of his office assist the Attorney General and perform such duties as may be assigned to him by the Attorney General all without additional compensation.

# Department of Revenue

- 11. Your Committee respectfully recommend that there shall be a readjustment of the Department of Revenue and that the legislation concerning its functions shall be so amended as to prevent loss of revenue resulting from inability to promptly collect revenues due this Department and to the end that the Department may function more efficiently. It is particularly recommended that the law relating to the collection of gasoline taxes and the giving of a bond in connection therewith for the protection of the State from loss of revenue due and owing to it shall be so amended as to fully protect the interests of the State and require and compel the payment of revenues due to it promptly.
- 12. We recommend that the Gasoline and Oil Inspection Division, now in the Department of Agriculture, shall be transferred to the Motor Vehicle Division of the Department of Revenue. The analytical work is to be continued in the laboratory of the Department of Agriculture as at present.
- 13. We recommend that the Department of Weights and Measures now in the Department of Agriculture shall be transferred to the Motor Vehicle Division of the Department of Revenue.
- 14. We recommend that the State Highway Patrol shall be transferred from the Highway Department to the Motor Vehicle Division of the Department of Revenue and that in addition to their other duties, the Highway Patrol shall be required to perform the duties of gasoline and oil inspectors, and the inspection of weights and measures, and to assume the duties of the Theft Bureau and such other duties as may be assigned to them.

## Department of Public Instruction

15. The Superintendent of Public Instruction, as the administrative head of the Educational Department of the State, is presumed to have the advice and assistance of the Board of Education, which under the laws of the State consists of the Council of State who are so engaged in other duties pertaining to their respective offices that they have little time to give to the consideration of the essential functions of this department. In this situation, a division called the Board of Equalization consisting of one member from each Congressional District, the Superintendent of Public Instruction, and two members at large, has been set up as a body with certain powers and control over the school administration of the State, and your Committee recommend that the powers and duties of this Board of Equalization in connection with the conduct and administration of the public schools of the State, shall be somewhat enlarged, extended, and made more flexible to the end that greater economy may be effected and emergencies met in the administration of our Public School System.

- 16. That there shall be enacted legislation preventing "repeaters," that is, students who have finished and completed their course of public school education, from returning to or utilizing the public schools of the State for the purpose of acquiring additional or specialized educational training. Your Committee is informed that this system of "repeaters" which has been permitted in the State adds to the public school cost approximately \$180,000 per year which should be used in the education and training of the children entitled to the same.
- 17. In the Department of Public Education, your Committee respectfully recommended that supervisors should be eliminated or reduced to a minimum and this this could be done at a saving of \$30,000.00 per year.
- 18. Your Committee recommend that the appropriation for the conduct of the public schools shall be put under the control of the Advisory Budget Commission in the same manner as are all appropriations for the maintenance of all other departments and institutions of State government and that the education bill of this session shall be so drawn as to permit all necessary economies to be effected in the administration of the same.
- 19. The Board of Equalization should be given power to fix and regulate the High Schools of the State and to fix the teaching load in the public schools and to lay down certain rules for the county superintendents. It is frequently more economical to transport high school students a few more miles where a sufficient number can be properly and economically instructed than it is to have and maintain high schools with a small attendance.

# State Library and Library Commission

20. Your Committee recommend that the State Librarian shall be made the Director of the Library Commission thereby combining the two positions of State Librarian and Director of the Library Commission, without additional compensation, and thereby eliminating the salary of the Director of the Library Commission.

## Board of Charities and Public Welfare

21. Your Committee find that there is much duplication between the Department of the Board of Charities and Public Welfare and the State Board of Health, and your Committee is of the opinion that many of the functions of both of these departments can be now suspended in the extreme necessity of the State, but we are of the opinion that the organizing and directing head of the State Board of Charities and Public Welfare should be preserved in order that it may function with the various county welfare officers, and your Committee recommend that this Department shall be coördinated with the State Board of Health and that only the head and a minimum of clerical help shall be preserved, and that its inspection functions shall be exercised by the present inspectors of the State Board of Health so far as they may be able to perform these duties, and that these two departments will so function under one department as to fully protect the health and welfare of the State and with great economy in the administration of each.

# Board of Health

22. The State Board of Health has many valuable functions and we realize that this department is a technical one and the extent of any economies that might be instituted therein difficult of determination, but we commend to the Committee on Appropriations for the adjustment thereof all such functions as are not immediately necessary to be retained for the preservation of the health of the State. In this Department we find listed among other things seventeen school dentists and six public health nurses; it would appear and does appear to the Committee that while these services are desirable in times of ability to pay therefor, they might be suspended or materially reduced without serious loss to the State in period of necessity, and we recommend that these be discontinued, the functions of which this Committee deem unnecessary in this emergency.

## Corporation Commission

- 23. Your Committee recommend that the present set-up of the Corporation Commission shall be abolished and that there shall be created a COM-MISSIONER OF PUBLIC UTILITIES who shall administer the functions now performed by the Corporation Commission and such other functions as are assigned to him in the bill which your Committee has prepared and herewith submits for the establishment of this Commission. Your Committee is of the opinion that the great majority of the functions of the Corporation Commission can best be performed by one individual at the head thereof who shall be charged with full responsibility of protecting the interests of the citizens of the State from oppressive rates and compel efficient service. That whenever there should arise to be tried important questions or issues of fact as to the right to establish any rate or to make regulations which are resisted, then the Chief Justice of North Carolina shall assign two judges of the Superior Court to sit with the Public Utilities Commissioner and hear and determine all such questions as might be submitted for its consideration. This assures to the industries of the State and to the people of the State a proper and fair determination of their rights, and its cost of administration will be essentially less because the judges of the Superior Court are now paid by the State and could be spared for the period of such hearing without additional cost or expense to the State, and your Committee is of the opinion that it will result in great saving as well as a more efficient administration of this department of government, and we recommend that this bill shall be adopted.
- 24. Your Committee recommend that the office and duties of the Securities Commissioner shall also be performed by the Public Utilities Commissioner without extra compensation.

# Department of Labor

25. Your Committee recommend that the Department of Labor shall include the Department of Standards and Inspection and that the head of that department shall be dispensed with. We are advised that the present Act places the same in the Department of Labor and we recommend that

the functions of the Director shall be performed by the Commissioner of Labor without extra compensation.

26. It is further recommended that the duties of the service officer of World War Veterans who has heretofore been stationed in Raleigh shall be performed by the Commissioner of Labor without additional compensation.

# Department of Conservation and Development

27. Your Committee recommend that the appropriation to the Department of Conservation and Development shall be materially reduced and that the offices and functions now existing therein not immediately necessary for the preservation of the property belonging to the State and the enforcement of the laws shall be discontinued, and to this end the appropriation to this department during the next biennium shall not exceed the sum of Twenty-five Thousand (\$25,000.00) Dollars per annum.

# Department of Agriculture

- 28. Your Committee recommend that the Savings and Loan Division of the Department of Agriculture shall be abolished.
- 29. Your Committee recommend that the officer known as the Publicity Specialist of the Department of Agriculture shall be dispensed with.
- 30. Your Committee recommend that the operation of the test and experimental farms of the Department of Agriculture shall be immediately discontinued and abandoned, and the experiments now proceeding thereon, if any, and all special and scientific equipment, if any, in use thereon, shall be turned over and delivered to the Experiment Station department of State College at Raleigh, now a part of the consolidated University, and that the actual real estate and farm implements and teams shall be turned over to the control and management of the Department of Highways and Prisons to be used in production of supplies and provisions, and that no further appropriation shall be made therefor. All other livestock on these farms not necessary for the proper operation shall be transferred to the other State institutions carrying on agricultural operations, to be distributed under the direction of the Budget Bureau.

## Judicial Department

- 31. Your Committee recommend that Section 3883 of the Consolidated Statutes shall be amended, reducing the salaries and compensation of the Chief Justice and of each of the Justices of the Supreme Court One Thousand (\$1,000.00) Dollars per annum.
- 32. Your Committee recommend that Section 3884 of the Consolidated Statutes shall be amended, reducing the salaries of each of the judges of the Superior Court and of the Emergency Judges One Thousand (\$1,000.00) Dollars per annum.

## Solicitors

33. Your Committee recommend that the salaries of the Solicitors of the Superior Court shall be reduced by One Thousand (\$1,000.00) Dollars, fixing their salary at Thirty-five Hundred (\$3,500.00) Dollars per annum, and

where any Solicitor prosecutes a docket in his district for more than twenty (20) weeks, he shall be allowed additional compensation of One Hundred and Fifty (\$150.00) Dollars per week for his services.

34. Your Committee recommends that Section 3890-A of the Consolidated Statutes, allowing the Solicitors additional compensation for expenses, shall be repealed.

# Highway Department

35. Your Committee recommend that the Highway Department and the Department of State's Prison shall be consolidated into a department to be known as the Department of Highways and Prisons.

The Highway Department now has under its jurisdiction and control about forty-seven hundred prisoners which it is working upon the highways of the State. The Committee are of the opinion that it can well handle and control the twenty-eight hundred prisoners now in the State Prison and that in doing so and working the same upon the highways of the State and other public activities, there will result a great economy in this combined department.

That your Committee are informed that by the combining of these departments of government, a large saving to the people of the State can be accomplished. For the purpose of accomplishing this recommendation, your Committee have caused to be prepared a bill combining the departments as above recommended which they recommend shall be passed.

36. Your Committee recommend that all new construction work on the highways shall be discontinued after the completion of the work now under contract excepting such as may be paid for entirely by the Federal Government.

## Educational Institutions

37. That your Committee recommend that the consolidation of the Greater University shall be proceeded with without delay and that appropriations for duplicating functions shall be discontinued at an early date to the end that the purpose of the Legislature in the consolidation of these institutions shall be accomplished. We cannot pass this department without calling the attention of the General Assembly to the per capita cost to the State of these institutions which is set out and tabulated on page 109 of the report of the Budget Bureau, and we recommend that this per capita cost to the State should be materially reduced and steps should be taken to bring about this result.

### Charitable and Correctional Institutions

38. There should be some method adopted that will reimburse the State for the cost and expense of patients in these institutions who are able to pay therefor and that the head of each institution should be held responsible for the failure to collect charges under the Pay Patients Act of 1925.

## Miscellaneous

39. The cost to the State for printing numerous non-essential reports and bulletins of the various departments is far in excess of their value,

and your Committee recommend that there should be a substantial reduction in the printing of these reports and that the control of such printing shall be left to the bureau of the Advisory Budget Commission. This will result in a large saving to the State in costs, and the necessary information can still be secured.

- 40. Your Committee find that in each department there is an annual travel cost of considerable proportions which is now based upon a mileage estimate and allowance of six cents per traveled mile by an employee of the department. Your Committee recommend that this mileage cost shall be reduced to an amount not exceeding five cents per traveled mile.
- 41. Your Committee recommend that the operation of the State Fair be suspended and that no appropriation shall be made during this biennium by the State for the conduct of the State Fair, and no deficit or expense of any character for its conduct shall rest upon the State.

The foregoing is your Committee's report made after a careful study and investigation of the several departments affected. There are a number of other economies which may be effected but which your Committee cannot embody in this report. Your Committee entered into this work with open minds and with the sole purpose of effecting all possible economies without impairing any efficiency in the function of the departments of our State Government. In arriving at our conclusion, we have disregarded all personalities.

The report is the unanimous conclusion of the Committee and it is hoped that the Members of the General Assembly will receive the report and adopt its recommendations. Our information and best advice is that if the recommendations hereinbefore set out are adopted and enacted into law that a saving of \$2,000,000.00, or more, will result to the taxpayers of North Carolina.

## Respectfully submitted,

L. I. Moore, Chairman, Ernest Graham, Secretary,

R. M. HANES,

R. G. CHERRY,

R. BRUCE ETHERIDGE.

T. C. BOWIE.

S. C. BRAWLEY,

Joint Committee of Senate and House on Reorganization,

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Gattis, for the Committee on Health:

S. B. 14, A bill to be entitled An act to amend the vital statistics law as to the registration of births and deaths and to permit the State Board

of Health to consolidate, abolish and create registration districts and for other purposes.

With a favorable report.

And,

S. B. 50, A bill to be entitled An act to amend, Chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts and prescribing the powers of such districts.

With a favorable report.

And on motion of Mr. Gattis, the rules are suspended and the bill is placed on its immediate passage. The bill passes its second and third readings, and is ordered Enrolled.

By Mr. Doughton of Alleghany, for the Committee on Finance:

H. B. 39, A bill to be entitled An act to repeal the dog tax law as to Cherokee County.

And,

H. B. 193, A bill to be entitled An act to amend Chapter 88, Private Laws, 1923, reënacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932 and validating the election of certain officers of the Town of Gatesville.

And.

H. B. 204, A bill to be entitled An act to consolidate the collection of current and delinquent taxes now collected by the Sheriff and Register of Deeds of Robeson County by the appointment of a Revenue and Tax Assistant to the County Manager.

And.

H. B. 212, A bill to be entitled An act to provide for the office of Tax Collector and to fix the salaries of officers, and validate the tax sales of land in Wayne County.

With favorable reports.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 105, A bill to be entitled An act to amend Chapter 463 of the Public-Local Laws, 1931, relating to the salary of the Auditor of Cleveland County.

With a favorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 159, A bill to be entitled An act to repeal chapter 430 of the Public-Local Laws of 1931, relating to tax commission in Yancey County.

And.

H. B. 171, A bill to be entitled An act relating to the nomination and election of commissioners of Bladen County.

And,

H. B. 189, A bill to be entitled An act to amend Chapter 88, Public Laws 1915, relating to eradication of hog cholera in Wilson County.

With favorable reports.

By Mrs. Mebane, for the Committee on Public Welfare:

H. B. 55, A bill to be entitled An act regulating the hours of work for women.

With a favorable report, as amended.

At a meeting of the Rules Committee held on January 20, a quorum being present, the following recommendations were adopted:

- (a) That a Committee be known as the Committee on Reorganization of State Government be made a Standing Committee of the House.
- (b) Mr. Cox, Chairman of the Committee on Rules, moves the adoption of this report.

Cox, Chairman.

The report is adopted.

Pursuant to the recommendation of the Rules Committee which is adopted, the Speaker announces the appointment of the Standing Committee on Reorganization of State Government as follows: Mr. Brawley, Chairman, Messrs. Bowie, Graham, Cherry and Etheridge.

At a meeting of the Rules Committee held on January 20 a quorum being present, the following recommendations were adopted:

- (a) That the Committee on Senatorial Districts be allowed a clerk temporarily.
  - (b) That the Committee on Election Laws be allowed a clerk temporarily.
- (c) Mr. Cox, Chairman of the Committee on Rules, moves the adoption of this report.

Cox, Chairman.

The report is adopted.

#### RESOLUTIONS

A resolution offered by Messrs. Taylor of Mecklenburg, Boyd, and Garibaldi, requiring the Corporation Commission to furnish schedule of rates, applicable to electricity, telephones, and gas, is adopted.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Grady: H. B. 214, A bill to be entitled An act to amend Section 217(a) of Volume III of the Consolidated Statutes as amended by Section 2 of Chapter 47, Public Laws 1927, relating to the amount of capital stock of banks.

Referred to the Committee on Banks and Banking.

By Mr. Sullivan: H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between 1:30 and 6:30 p.m. on Sundays. Referred to the Committee on Judiciary No. 2.

By Messrs. Bowie, Murphy, Doughton, Neal, Cox, Grant, Massenburg, Greer, Morphew, Haynes, Graham, Williams, Cowles, Coffey, Sullivan, Hutchins, Thompson of Columbus, Thompson of Robeson, Etheridge, Braddy, Hamilton, and Randolph: H. B. 216, A bill to be entitled An act to repeal State-wide Primary Law.

Referred to the Committee on Election Laws.

By Mr. Bowie: H. B. 217, A bill to be entitled An act to repeal Section 1037(e) of Chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation

can construct or operate a public utility system or plant in competition with other public utilities and plants.

Referred to the Committee on Regulation of Public Service Corporations. By Mr. Morphew: H. B. 218, A bill to be entitled An act to repeal Chapter 114, Public-Local Laws of 1925, relative to the enforcement of prohibition law in certain counties.

Referred to the Committee on Propositions and Grievances.

By Mr. Gilliam: H. B. 219, A bill to be entitled An act to apply surplus State highway funds to debt service on county obligations for highways.

Referred to the Committee on Finance.

By Mr. Dees: H. B. 220, A bill to be entitled An act to amend Section 1893 of Volume III of the Consolidated Statutes relating to tax on oysters. Referred to the Committee on Oyster Industry.

By Messrs. Everett, Brawley, Murphy, Randolph, Hamilton, and Martin: H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

Referred to the Committee on Judiciary No. 1.

By Mr. Johnson of Pender: H. B. 222, A bill to be entitled An act to amend Section 6442 of the Consolidated Statutes of 1919 and to require casualty and surety companies to make deposits.

Referred to the Committee on Insurance.

And,

H. B. 223, A bill to be entitled An act to amend Section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations.

Referred to the Committee on Insurance.

And.

H. B. 224, A bill to be entitled An act to amend Section 6411 of Consolidated Statutes of 1919 to require foreign insurance companies to pay premium receipt tax after retirement from this State.

Referred to the Committee on Insurance.

And,

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

Referred to the Committee on Insurance.

And.

H. B. 226, A bill to be entitled An act to amend Section 6394 of the Consolidated Statutes of 1919 to eliminate that part of the Section which exempts certain classes of insurance companies from filing rates.

Referred to the Committee on Insurance.

By Mr. Galloway: H. B. 227, A bill to be entitled An act to amend Chapter 279, Public-Local Laws of 1929, relative to the collection of taxes in Transylvania County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Thompson of Beaufort, by request: H. B. 228, A bill to be entitled An act to regulate the transportation of raw or uncured or uncanned fish to be sold or offered for sale for food purposes.

Referred to the Committee on Commercial Fisheries.

And,

H. B. 229, A bill to be entitled An act to regulate the packing and sale of fish and/or seafood.

Referred to the Committee on Commercial Fisheries.

### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 48, A bill to be entitled An act authorizing Building and Loan associations of this State to become members and purchase stock of the Federal Home Loan Bank.

Referred to the Committee on Insurance.

S. B. 5, A bill to be entitled An act to limit the powers of justices of the peace and constables of Mecklenburg County.

Referred to the Committee on Judiciary No. 1.

S. B. 44, A bill to be entitled An act to amend Section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Referred to the Committee on Insurance.

S. B. 46, A bill to be entitled An act to amend Section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Referred to the Committee on Insurance.

S. B. 47, A bill to be entitled An act to amend Chapter 93 of the Consolidated Statutes of North Carolina, Sub-chapter 1, relating to building and loan assocations.

Referred to the Committee on Insurance.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 90, A bill to be entitled An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to Chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks and to amend the said law.

H. B. 129, A bill to be entitled An act to provide for service of process on all unincorporated organizations, associations and/or societies.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 154, A bill to be entitled An act to validate certain acts of the Board of Commissioners of the Town of Elkin.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 183, A bill to be entitled An act to adjust certain assessments for street improvements in the Town of Scotland Neck.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 184, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Scotland Neck.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 185, A bill to be entitled An act relating to the payment of obligations to the Town of Scotland Neck.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 53, A bill to be entitled An act providing for consolidation of counties in the State of North Carolina and reducing the cost of government therein.

The bill fails to pass its second reading.

H. B. 110, A bill to be entitled An act to prohibit the practicing of law by registers of deeds, being an amendment to Chapter 4, Section 198, of the Consolidated Statutes.

Passes its third reading, and is ordered sent to the Senate without Engrossment.

H. B. 126, A bill to be entitled An act to expedite the trial of criminal cases and to dispense with jury trial therein.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 32, A bill to be entitled An act relating to the Superintendent of the County Convict Farm of Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 66, A bill to be entitled An act relating to the appointment of tax collectors for Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 97, A bill to be entitled An act to regulate the selection of a county commissioner from each township in Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 138, A bill to be entitled An act to amend Section 2, Chapter 275, Public-Local Laws 1931, relating to the office of constable of Asheville Township, Buncombe County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Gilliam, House Bill 58, a bill to be entitled An act to require banking institutions to report purchase and sale of tax free securities

in certain cases, is taken from the Committee on Banks and Banking and recommitted to the Committee on Finance.

Mr. Johnson of Chatham makes a motion that the House adjourn until 10:00 o'clock tomorrow, and that when it adjourns tomorrow it adjourn to meet Monday night at 8:00 o'clock p.m.

It is so ordered.

# SIXTEENTH DAY

House of Representatives, Saturday, January 21, 1933.

The House meets pursuant to adjourment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. B. Peery of Raleigh.

Mr. Gatling for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Pursuant to motion, adopted at yesterday's Session, and on motion of Mr. Massenburg, the House adjourns until Monday night at eight o'clock p.m.

# SEVENTEENTH DAY

House of Representatives, Monday Night, January 23, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. Frederick Redfern, President of Shaw University, of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Messrs. W. C. Woodard of Nash County, J. S. Howell of Buncombe County, D. L. Bell of Chatham County, and J. K. Wilson of Pasquotank County, former Members of the House.

Leave of absence is granted to Mr. Warlick of Onslow County, indefinitely, on account of sickness.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. B. 230, A bill to be entitled An act to prohibit the unauthorized practice of law in the State of North Carolina, exempting Caswell and Columbus counties from the operation thereof.

Referred to the Committee on Judiciary No. 2.

By Messrs. Wilson and Thompson of Columbus: H. B. 231, A bill to be entitled An act to amend section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the Register of Deeds of the home county of the groom.

Referred to the Committee on Judiciary No. 2.

By Mr. Wilson: H. B. 232, A bill to be entitled An act to repeal chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.

Referred to the Committee on Election Laws.

By Mr. Greene: H. B. 233, A bill to be entitled An act to amend chapter 53, of Public Laws of 1931, relating to the fees of the Clerk of Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said county.

Referred to the Committee on Salaries and Fees.

By Mr. Williams: H. B. 234, A bill to be entitled An act to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales and to validate sales made thereunder.

Referred to Committee on Judiciary No. 2.

And.

H. B. 235, A bill to be entitled An act to amend section 130 of the Consolidated Statutes and chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Duplin County to lay off homesteads.

Referred to the Committee on Judiciary No. 2.

By Mr. Cover: H. B. 236, A bill to be entitled An act to permit the residents of Cherokee County to hunt therein without paying a license therefor.

Referred to the Committee on Game.

And

H. B. 237, A bill to be entitled An act to amend section 4, chapter 335, Public Laws 1929, relating to resident fishing licenses in Cherokee County. Referred to the Committee on Conservation and Development.

By Mr. Taylor of Mecklenburg: H. B. 238, A bill to be entitled An act to amend or repeal a portion of chapter 538, Public-Local Laws of 1911, and chapter 369, Public-Local Laws of 1915, and chapter 493, Public-Local Laws of 1917, relating to drainage in Mecklenburg County.

Referred to the Committee on Drainage.

And.

H. B. 239, A bill to be entitled An act to repeal chapter 342, Private Laws of North Carolina, Session of 1907, providing a Charter for the City of Charlotte and the several acts amendatory thereof and supplementary thereto, and to divide said city into wards.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 240, A bill to be entitled An act to amend section 1569 of the Consolidated Statutes, relating to removal of cases in courts of justices of the peace.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 241, A bill to be entitled An act to amend section 1498 of the Con solidated Statutes, relating to removal of cases in courts of justices of the peace.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 242, A bill to be entitled An act to amend section 1608 (nn) of the Consolidated Statutes, relating to removal of cases in courts of justices of the peace.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Boyd and Taylor of Mecklenburg: H. B. 243, A bill to be entitled An act to amend section 7880, sub-section 93, chapter 131, of the Consolidated Statutes of North Carolina known as "The Revenue Act of 1931," imposing a license tax of \$50.00 on branch or chain stores, making the license tax \$150.00 per store.

Referred to the Committee on Finance.

By Mr. Ingram: H. B. 244, A bill to be entitled An act to amend section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors.

Referred to the Committee on Judiciary No. 1.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

S. B. 30, A bill to be entitled An act to amend sub-chapter 11, entitled "Primary Elections," section 6023 of Consolidated Statutes, relating to fees for filing notice of candidacy by members of county boards of education.

Referred to the Committee on Election Laws.

S. B. 45, A bill to be entitled An act to amend Section 5192 of the Consolidated Statutes of North Carolina, relating to license fees building and loan association agents.

Referred to the Committee on Insurance.

S. B. 24, A bill to be entitled An act to authorize the State Highway. Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town.

Referred to the Committee on Roads.

S. B. 64, A bill to be entitled An act to amend section 1, chapter 317 of the Public-Local Laws of 1931, being An act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday, between the hours of ten a.m. and twelve p.m.

Referred to the Committee on Propositions and Grievances.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 105, A bill to be entitled An act to amend chapter 463 of the Public-Local Laws, 1931, relating to the salary of the auditor of Cleveland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 159, A bill to be entitled An act to repeal chapter 430 of the Public-Local Laws of 1931, relating to tax commission in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 171, A bill to be entitled An act relating to the nomination and election of commissioners of Bladen County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 193, A bill to be entitled An act to amend chapter 88, Private Laws 1923, reënacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932 and validating the election of certain officers of the Town of Gatesville.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 204, A bill to be entitled An act to consolidate the collection of current and delinquent taxes now collected by the Sheriff and Register of Deeds of Robeson County by the appointment of a Revenue and Tax Assistant to the County Manager.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 212, A bill to be entitled An act to provide for the office of tax collector, and to fix the salaries of officers, and validate the tax sales of land in Wayne County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 39, A bill to be entitled An act to repeal the dog tax law as to Cherokee County.

Passes its second reading and remains on the Calendar.

H. B. 55, A bill to be entitled An act regulating the hours of work for women.

As amended, passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 15, A bill to be entitled An act to repeal Chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and provide for the physical examination of applicants."

Mr. Wilson offers a substitute for the bill, which fails of adoption.

The question now recurs upon the passage of the bill on its third reading. The bill passes its third reading, and is ordered sent to the Senate without Engrossment.

H. B. 189, A bill to be entitled An act to amend Chapter 88, Public Laws 1915, relating to eradication of hog cholera in Wilson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 14, A bill to be entitled An act to amend the Vital Statistics Law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts and for other purposes.

Mr. Massenburg offers an amendment, which is lost.

The question recurs upon the passage of the bill.

The bill passes its second and third readings, and is ordered enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 191, Joint Resolution inviting attendance at the presentation of the portrait of Nathan O'Berry, late Treasurer of the State of North Carolina.

S. B. 50, An act to amend Chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts and prescribing the powers of such districts.

Mr. Murphy makes a motion that when the House adjourns, it do so in memory to the late Judge Walter E. Moore, who died this day in the City of Asheville.

It is so ordered.

Pursuant to motion and on motion of Mr. Doughton, the House adjourns, and will meet tomorrow at 12:00 o'clock noon.

# EIGHTEENTH DAY

House of Representatives, Tuesday, January 24, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. M. A. Barber of Raleigh.

Mr. Gatling, for the Committee on the Journal reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. C. P. Rogers of Polk County and Mr. John B. Crudup of Vance County, former Members of the House.

### RESOLUTIONS

A resolution, providing for the appointment of a committee to investigate the employment of clerks and stenographers by the House of Representatives, fails of adoption.

## PETITIONS AND MEMORIALS

Several petitions are presented by Mr. Cowles, read and referred to the appropriate committees.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Dees, for the Committee on Commercial Fisheries:

H. B. 72, A bill to be entitled An act to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties.

With a favorable report.

By Mr. Johnson of Chatham, for the Committee on Federal Relations:

H. R. 116, Joint resolution, requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that Congress balance its budget without further increase in the tax levies.

With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 239, A bill to be entitled An act to repeal Chapter 342 of the Private Laws of North Carolina, Session of 1907, providing a Charter for the City of Charlotte, and the several acts amendatory thereof or supplementary thereto, and to divide said City into wards.

And,

S. B. 5, A bill to be entitled An act to limit the powers of Justices of the Peace and Constables of Mecklenburg County.

And.

H. B. 29, A bill to be entitled An act to amend Chapter 227, Public Laws of 1931, entitled "An act to establish a Director of Personnel and to prescribe and define his duties and powers."

And.

H. B. 7, A bill to be entitled An act to grant a moratorium on all loans to war veterans under the World War Veterans Loan Act.

And.

H. B. 21, A bill to be entitled An act to validate certain conveyances executed in Surry County, prior to January 1, 1933.

With favorable reports.

And.

H. B. 78, A bill to be entitled An act to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

With a favorable report, as amended.

And.

H. B. 170, A bill to be entitled An act to amend Section 4233 of the Consolidated Statutes, relating to punishment for first degree burglary.

And,

H. B. 143, A bill to be entitled An act to amend Chapter 145 of Public Laws of 1931, providing for the return of prisoners, discharged from district prison camps, to the county in which they were sentenced.

· With unfavorable reports.

And.

H. B. 27, A bill to be entitled An act to establish a law library in Haywood County.

With unfavorable report as to bill; favorable as to Committee substitute.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 55, A bill to be entitled An act regulating the hours of work for women.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Makepeace: H. B. 245, A bill to be entitled An act to abolish the County Board of Education and office of County Superintendents of Schools in each of the one hundred counties in the State of North Carolina; also, the offices of Rural Supervisors and Attendance Officers in the State and Counties, and transfer their powers, responsibilities and duties to thirty Division Boards of Education and thirty Division Superintendents of Schools.

Referred to the Committee on Education.

By Messrs. Aycock of Wake and Thompson of Columbus: H. B. 246, A bill to be entitled An act to regulate the number of school superintendents in North Carolina.

Referred to the Committee on Education.

By Mr. Thompson of Columbus: H. B. 247, A bill to be entitled An act to repeal Chapter 283, Public-Local Laws, Session of 1931, relating to pay of County Commissioners of Columbus County.

Referred to the Committee on Salaries and Fees.

By Mr. Howell: H. B. 248, A bill to be entitled An act to repeal Section 2, Chapter 238, Public-Local Laws, 1929, and to authorize the Commissioners of Haywood County to designate a depository for public funds in Haywood County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cameron, by request: H. B. 249, A bill to be entitled An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. Womble, by request: H. B. 250, A bill to be entitled An act providing for liens on personal property in certain cases.

Referred to the Committee on Finance.

By Messrs. Scarborough, Cameron, Bean and McLauchlin: H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

Referred to the Committee on Manufacturing and Labor.

By Messrs. Bean and Moore: H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked State Highways through the cities and towns.

Referred to the Committee on Roads.

By Mr. Eaton: H. B. 253, A bill to be entitled An act for the relief of sheriffs and tax collectors.

Referred to the Committee on Finance.

And,

H. B. 254, A bill to be entitled An act to exempt Yadkin County from the payment of hunting license required by Section 27, Chapter 51, Public Laws. 1927.

Referred to the Committee on Game.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 6, A bill to be entitled An act to amend Chapter 124 of the Private Laws of North Carolina, Session of 1929, relating to a civil service for employees of the City of Charlotte.

Referred to the Committee on Counties, Cities and Towns.

S. B. 9, A bill to be entitled An act to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

Referred to the Committee on Counties, Cities and Towns.

S. B. 56, A bill to be entitled An act to repeal Sections 3401 and 3402 of Article 6, Chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

Referred to the Committee on Propositions and Grievances.

S. B. 82, A bill to be entitled An act to amend Chapter 42, Private Laws, Extra Session, 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton.

Referred to the Committee on Counties, Cities and Towns.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 64, An act to amend Section One of Chapter 16 of the Public-Local Laws of 1927, relating to penalty for public drunkenness in Swain County.

S. B. 14, An act to amend the Vital Statistics Law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts and for other purposes.

On motion of Mr. Graham, the House adjourns until twelve o'clock tomorrow.

# NINETEENTH DAY

House of Representatives, Wednesday, January 25, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. W. Bradshaw, of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. S. J. Ervin, Jr. of Burke County, Mr. Turner Grant of Davie County, and Mr. W. L. Ward of Randolph County, former members of the House of Representatives.

Leave of absence is granted to Mr. Gattis of Orange, indefinitely, on account of sickness.

### PETITIONS AND MEMORIALS

Petitions and memorials are presented by several members, read, and referred to the appropriate Committees.

## COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Johnson of Pender, for the Committee on Insurance:

S. B. 44, A bill to be entitled An act to amend Section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

With a favorable report, as amended.

And,

S. B. 45, A bill to be entitled An act to amend Section 5192 of the Consolidated Statutes of North Carolina, relating to license fees for building and loan association agents.

And.

S. B. 46, A bill to be entitled An act to amend Section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

And,

S. B. 47, A bill to be entitled An act to amend Chapter 93 of the Consolidated Statutes of North Carolina, Sub-Chapter 1, relating to building and loan associations.

And.

H. B. 223, A bill to be entitled An act to amend Section 6360 of the Consolidated Statutes of 1919, to provide for supervision of certain assessment life insurance associations.

And,

H. B. 224, A bill to be entitled An act to amend Section 6411 of the Consolidated Statutes, 1919, to require foreign insurance companies to pay premium receipts tax after retirement from this State.

And,

H. B. 226, A bill to be entitled An act to amend Section 6394 of the Consolidated Statutes, 1919, to eliminate that part of the Section which exempts certain classes of insurance companies from filing rates.

And.

S. B. 48, A bill to be entitled An act authorizing building and loan associations of this State to become members and purchase stock of the Federal Home Loan Bank.

With favorable reports.

By Mr. Dees, for the Committee on Oyster Industry:

H. B. 24, A bill to be entitled An act relating to and limiting leasing of oyster beds in Hyde County.

And,

H. B. 200, A bill to be entitled An act prohibiting the leasing, or granting of oyster beds or oyster lands in Pamlico County.

And.

H. B. 220, A bill to be entitled An act to amend Section 1893 of Volume III of the Consolidated Statutes, relating to tax on oysters.

With favorable reports.

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 182, A bill to be entitled An act to limit the liability of Cleveland County for court cost.

And,

H. B. 210, A bill to be entitled An act to amend Section 1443 of the Consolidated Statutes, relating to the terms of court for Caswell County and Rockingham County.

And.

H. B. 85, A bill to be entitled An act to make the office of the Solicitor of the Recorder's Court of Lincoln County elective.

And.

H. B. 48, A bill to be entitled An act to amend Section 2334 of the Consolidated Statutes, relating to the Grand Jury for Union County.

With favorable reports.

By Mr. Cherry, for the Committee on Finance:

H. B. 178, A bill to be entitled An act to provide for the better collection of dog and poll taxes in Currituck County.

With unfavorable report as to bill; favorable as to the Committee substitute.

And.

H. B. 89, A bill to be entitled An act to allow an exemption of one thousand dollars to every home owner in North Carolina.

With unfavorable report.

By Mr. Cherry, for the Committee on Roads:

S. B. 24, A bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town.

With a favorable report.

By Mr. Sigmon, for the Committee on Insane Asylums:

H. B. 43, A bill to be entitled An act for the relief of Mecklenburg County, and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.

With a favorable report.

By Mr. Greer, for the Committee on Library:

H. R. 142, Joint resolution providing for the celebration of the Centennial of the laying of the Cornerstone of the North Carolina State Capitol.

With a favorable report.

On motion of Mr. Everett, the bill is laid on the Table.

And,

S. R. 57, Joint resolution providing for the celebration of the Centennial of the laying of the Cornerstone of the North Carolina State Capitol.

With a favorable report.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Murphy, Bowie, Neal, Stevens, Bean, Cover, Etheridge, Massenburg, Groves, Garibaldi, Lumpkin, Randolph, and Grant: H. B. 255, A bill to be entitled An act to legalize the sale of light wines and beers in North Carolina and place a tax thereon to take effect upon the legalization of the sale of said beverages by an Act of Congress.

Referred to the Committee on Judiciary No. 1.

By Messrs. Bowie, Murphy and Flanagan: H. B. 256, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in the counties in North Carolina, and to permit the taxpayer to redeem all land sold for taxes for said years which was bid in by the county and to provide for an extension of time for the payment of said delinquent taxes.

Referred to the Committee on Finance.

By Mr. Bowie: H. B. 257, A bill to be entitled An act ratifying the postponement of the sale of land for taxes by the board of commissioners of the County of Ashe until June 1, 1933.

Referred to the Committee on Finance.

By Mr. Ewing: (H. B. 258, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to the Senate without Engrossment.

And.

H. B. 259, A bill to be entitled An act to amend Section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 260, A bill to be entitled An act to authorize counties, cities and towns to impose a license or privilege tax on telephone companies.

Referred to the Committee on Finance.

By Mr. Murphy: H. B. 261, A bill to be entitled An act to promote the better enforcement of the prohibition laws and the Eighteenth Amendment.

Referred to the Committee on Finance.

By Messrs. Newman, Murphy and Young: H. B. 262, A bill to be entitled An act to regulate the business of transporting property for compensation by motor vehicles operated over the public highways of the State.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 263, A bill to be entitled An act amending Chapter 148, Public Laws of 1927, as amended by Chapters 235, 248 and 337, Public Laws of 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of the public highways by motor trucks, semi-trailer trucks and trailers; to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this act.

Referred to the Committee on Judiciary No. 1.

By Mr. Gilliam: H. B. 264, A bill to be entitled An act to suspend all laws and rules and regulations requiring teachers in the public schools of North Carolina to attend summer school.

Referred to the Committee on Education.

By Mr. Young: H. B. 265, A bill to be entitled An act to regulate certain fees of the courts and officers of the County of Harnett.

Referred to the Committee on Salaries and Fees.

By Messrs. Martin and Sullivan: H. B. 266, A bill to be entitled An act to clarify the statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.

Referred to the Committee on Banks and Banking.

By Mr. Thompson of Columbus: H. B. 267, A bill to be entitled An act to apply the chain stores tax to filling stations.

Referred to the Committee on Finance.

By Mr. Lee: H. B. 268, A bill to be entitled An act to protect the health of mothers and infants and to regulate the practice of midwifery.

Referred to the Committee on Health.

By Mr. English: H. B. 269, A bill to be entitled An act to amend Section 6018 of the Consolidated Statutes, relating to the date for holding primary elections and to amend Section 6045, abolishing second primaries.

Referred to the Committee on Election Laws.

By Mr. Arndt: H. B. 270, A bill to be entitled An act to amend Chapter 307, Private Laws of 1905, amending the Charter of the Lenoir-Rhyne College. Referred to the Committee on Education.

By Messrs. Arndt, and Taylor of Chrrituck: H. B. 271, A bill to be entitled An act to amend Chapter 209 of Public Laws of 1929, so as to exempt busses used exclusively in transporting children and adults to Sunday schools and churches from the payment of license fees.

Referred to the Committee on Roads.

By Mr. Taylor of Mecklenburg: H. B. 272, A bill to be entitled An act to provide for the collection of delinquent taxes.

Referred to the Committee on Finance.

By Mr. Ray: H. B. 273, A bill to be entitled An act to repeal Chapter 260 of the Public Laws of North Carolina, Session of 1931, and to simplify the procedure of tax foreclosures.

Referred to the Committee on Finance.

And,

H. B. 274, A bill to be entitled An act to extend the time for payment of water and sewer assessments due the Board of Water Commissioners of Hendersonville, North Carolina.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cover: H. B. 275, A bill to be entitled An act to repeal Chapter 15 of the Public-Local and Private Laws of 1923, being An act to prohibit the sale or use of fireworks in Currituck and Cherokee counties, in so far as the same applies to Cherokee County.

Referred to the Committee on Propositions and Grievances.

By Mr. Galloway: H. B. 276, A bill to be entitled An act to repeal Chapter 357 of the Public-Local Laws of 1927, relating to the jury commission of Transylvania County and providing that nonpayment of taxes shall not prevent service on jury in said county.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 277, A bill to be entitled An act to permit hunting and fishing in Transylvania County without license.

Referred to the Committee on Game.

By Mr. McLauchlin: H. B. 278, A bill to be entitled An act to amend Section 3907 of the Consolidated Statutes of 1919, relating to fees of Register of Deeds in Scotland County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Thompson of Beaufort: H. B. 279, A bill to be entitled An act to protect game and fur-bearing animals in Beaufort County and prevent the extermination thereof.

Referred to the Committee on Game.

By Mr. Lumpkin: H. B. 280, A bill to be entitled An act to amend Section 2591 of the Consolidated Statutes of North Carolina, Public Laws of 1919, and amendments thereto relative to upset bids in foreclosure proceedings.

Referred to Judiciary No. 1.

And,

H. B. 281, A bill to be entitled An act to correct the gross abuse of deficiency judgments.

Referred to the Committee on Judiciary No. 1.

By Messrs. Johnson of Pender, Thompson of Columbus, Williams, Newman, Grant, Bowie and Vann: H. B. 282, A bill to be entitled An act to amend Chapter 213, Public Laws 1927, to extend the time of sale of land for taxes from the first Monday in June until the first Monday in July.

Referred to the Committee on Finance.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 7, A bill to be entitled An act to provide for the establishment of a Civil Service Board for the rural policemen of Mecklenburg County.

Referred to the Committee on Counties, Cities and Towns.

S. R. 84, A joint resolution for the appointment of a committee to attend the Interstate Conference of Legislators at Washington, D. C. on February 3, 1933.

On motion of Mr. Newman, the rules are suspended, and resolution is placed on its immediate passage.

Passes its second reading and remains on the Calendar.

An amendment offered by Mr. Newman is adopted.

As amended, the resolution passes its third reading and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 111, A bill to be entitled An act to transfer the office of Legislative Reference Librarian to the Department of the Attorney General, and to amend Section 6147 of the Consolidated Statutes.

On motion of Mr. Brawley, the bill is placed on the Calendar.

S. B. 113, A bill to be entitled An act to provide for voluntary return by members of the Judiciary of a portion of their compensation.

On motion of Mr. Brawley, the bill is placed on the Calendar.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 21, A bill to be entitled An act to validate certain conveyances executed in Surry County prior to January 1, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 27, A bill to be entitled An act to establish a law library in Haywood County.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 72, A bill to be entitled An act to prohibit the taking of Shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 239, A bill to be entitled An act to repeal Chapter 342 of the Private Laws of North Carolina, Session of 1907, providing a Charter for the City of Charlotte, and the several acts amendatory thereof or supplementary thereto, and to divide said city into wards.

On motion of Mr. Taylor of Mecklenburg, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 29, A bill to be entitled An act to amend Chapter 277, Public Laws of 1931, entitled "An act to establish a Director of Personnel and to prescribe and define his duties and powers."

On motion of Mr. Moss, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 78, A bill to be entitled An act to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

A Committee amendment is adopted.

An amendment offered by Mr. Olive is lost.

The bill, as amended, passes its second and third readings and is ordered Engrossed and sent to the Senate.

H. R. 116, A Joint resolution requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that Congress balance its Budget without further increase in the tax levies.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 175, A bill to be entitled An act to amend Section 32 of Chapter 60, Public Laws 1931, relating to and declaring liability of public officials with respect to funds of a unit deposited in banks and trust companies, designated as depository or depositories of such unit.

On motion of Mr. Johnson of Pender, the bill is recommitted to the Committee on Finance.

H. B. 39, A bill to be entitled An act to repeal the dog tax law as to Cherokee County.

Several amendments are offered.

On motion of Mr. Womble, the bill is recommitted to the Committee on Education.

S. B. 5, A bill to be entitled An act to limit the powers of Justices of the Peace and Constables of Mecklenburg County.

Passes its second and third readings, and is ordered Enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 59, An act to regulate lobbying.

H. B. 212, An act to provide for the office of tax collector, and to fix the salaries of officers and validate tax sales of land in Wayne County.

On motion of Mr. Doughton, the House adjourns and will meet tomorrow at 12:00 o'clock noon.

# TWENTIETH DAY

House of Representatives, Thursday, January 26, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. T. S. Clarkson of Smithfield, N. C.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. H. B. Gaston of Gaston County, Mr. John Wells of Pender County, Mr. Archie Gay of Northampton County, Mr. John G. Dawson of Lenoir County, Mr. J. R. Baggett of Harnett County and Mr. Eugene Brooks of Durham County, former Members of the House.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 96, A bill to be entitled An act to amend Section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases in Hertford County.

With unfavorable report as to bill; favorable as to the Committee substitute.

And,

H. B. 50, A bill to be entitled An act for the relief of E. A. Bumgarner of Jackson County.

With unfavorable report.

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 266, A bill to be entitled An act to clarify the Statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.

With a favorable report.

On motion of Mr. Sullivan, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Bowie, for the Committee on Election Laws:

H. B. 216, A bill to be entitled An act to repeal the State-wide Primary Law.

With unfavorable report, with minority report attached.

And,

H. B. 232, A bill to be entitled An act to repeal Chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County. And,

S. B. 30, A bill to be entitled An act to amend Sub-Chapter Two, entitled "Primary Elections," Section 6023 of the Consolidated Statutes, relating to fees for filing notice of candidacy by members of County Boards of Election.

And,

H. B. 37. A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Union County from the Absentee Voters Law.

And.

H. B. 108. A bill to be entitled An act to provide for the election of the chairman of the Board of County Commissioners and the Farm Demonstration Agent for Macon County by a vote of the people.

And.

H. B. 93, A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Macon County from the Absentee Voters Law.

And.

H. B. 190, A bill to be entitled An act to repeal the Absentee Ballot Law for Yancey County.

And,

H. B. 205, A bill to be entitled An act to repeal Chapter 174, Public-Local Laws, Session 1927, being "An act to repeal the County Primary Law for Caldwell and Yancey counties," and Chapter 413, Public-Local Laws of 1929, amendatory to said Chapter 174.

With favorable reports.

### ENGROSSED BILLS

Mr. Gatling for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 78. A bill to be entitled An act to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Everett: H. R. 283, Joint resolution to appoint a committee to investigate and report a plan for constructive coöperation between State and Federal agencies in the distribution of Federal aid to unemployed.

On motion of Mr. Everett, the resolution is placed on the Calendar.

By Mr. Cover: H. R. 284, Joint resolution to provide compensation to Mrs. Clara Luther for the death of her son while imprisoned in the State Prison.

Referred to the Committee on Appropriations.

By Mr. Haynes: H. B. 285, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Elkin.

Referred to the Committee on Counties, Cities and Towns.

By Mr. McLauchlin: H. B. 286, A bill to be entitled An act to amend Section 3904 of the Consolidated Statutes of 1919, relating to fees in the Recorder's Court in Scotland County.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 287, A bill to be entitled An act to amend Chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a Criminal Court to be called a Criminal Court for the County of Scotland."

Referred to the Committee on Courts and Judicial Districts.

By Mr. Randolph: H. B. 288, A bill to be entitled An act to require the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 289, A bill to be entitled An act to amend Chapter 450, Public-Local Laws, Regular Session of General Assembly, 1931, relating to fishing in Tennessee River.

Referred to the Committee on Conservation and Development.

H. B. 290, A bill to be entitled An act to consolidate Charleston and Oconalufty Townships in Swain County into one township to be known as Charleston Township.

Referred to the Committee on Judiciary No. 2.

By Mr. Ruark: H. B. 291, A bill to be entitled An act to amend Chapter 37, Public-Local Laws of 1931, relating to Tax Collector for Brunswick County.

Referred to the Committee on Counties, Cities and Towns.

H. B. 292, A bill to be entitled An act to amend Chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 293, A bill to be entitled An act to amend the law relating to the Recorder's Court for the County of Brunswick.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 294, A bill to be entitled An act to amend Chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

Referred to the Committee on Salaries and Fees.

By Mr. Barden: H. B. 295, A bill to be entitled An act to validate certain tax sales in Craven County.

Referred to the Committee on Finance.

By Mr. Gilliam: H. B. 296, A bill to be entitled An act for the improvement of rural cemeteries in Alamance County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Eagles: H. B. 297, A bill to be entitled An act to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

Referred to the Committee on Penal Institutions.

By Mr. Howell: H. B. 298, A bill to be entitled An act to amend Section 347, Chapter 136, Public Laws of 1923, as heretofore amended by Chapter 226, Public Laws of 1925, relating to compulsory attendance in schools.

Referred to the Committee on Education.

By Dr. Douglass: H. B. 299, A bill to be entitled An act requiring that notice be given to a going concern before a receiver can be appointed therefor.

Referred to the Committee on Judiciary No. 1.

By Messrs. Johnson of Chatham and Thomas: H. B. 300, A bill to be entitled An act to amend Section 765 of the Consolidated Statutes of North Carolina, allowing the clerk of the Superior Court to force commissioners appointed by said clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 301, A bill to be entitled An act to amend Section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said Section.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 302, A bill to be entitled An act to amend section 49 of the Consolidated Statutes of North Carolina. Relating to service of process issued under said section.

Referred to the Committee on Judiciary No. 1.

By Mr. Hutchins: H. B. 303, A bill to be entitled An act to validate tax sales of towns and counties.

Referred to the Committee on Finance.

And,

H. B. 304, A bill to be entitled An act relative to reorganization of corporations whose charters have been forfeited.

Referred to the Committee on Judiciary No. 1.

By Mr. Lee: H. B. 305, A bill to be entitled An act to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

Referred to the Committee on Judiciary No. 2.

By Mr. Morphew: H. B. 306, A bill to be entitled An act to amend Section 2 of Chapter 28 of the Public-Local Laws, Regular Session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay the Clerk of the Superior Court, etc.

Referred to the Committee on Salaries and Fees.

By Mr. Spruill: H. B. 307, A bill to be entitled An act to validate the action of the County Commissioners in postponing sale of land for taxes for the years 1930 and 1931.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 308, A bill to be entitled An act to prohibit the levying of any tax upon tangible property of any kind for State purposes and especially repealing the present fifteen-cent tax levy by the State for schools.

Referred to the Committee on Finance.

By Messrs. Thompson of Beaufort, Davis and Tatem: H. B. 309, A bill to be entitled An act to protect fish in the waters of Beaufort, Hyde and Tyrrell counties.

Referred to the Committee on Commercial Fisheries.

By Mr. Hamilton: H. B. 310, A bill to be entitled An act to repeal sections 1786, 1787 and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt Statutes," and to substitute in lieu thereof a new statute.

Referred to the Committee on Judiciary No. 1.

By Mr. Stephens: H. B. 311, A bill to be entitled An act to amend chapter 86 of the Public Laws of 1925, and relating to the power of administrators, executors and collectors to renew obligations of estates.

Referred to the Committee on Judiciary No. 1.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 34, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 61, A bill to be entitled An act to amend the law in regard to the General County Court of Alamance County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 62, A bill to be entitled An act to amend chapter 697 of the Public-Local Laws of 1913, relating to the term of office of the Judge of the County Court of Wayne County.

Referred to the Committee on Judiciary No. 2.

S. B. 101, A bill to be entitled An act to validate the official acts of George W. Hardison, a Notary Public of Washington County.

Referred to the Committee on Judiciary No. 2.

H. B. 126, A bill to be entitled An act to expedite the trial of criminal cases and to dispense with jury trial therein.

For concurrence in the Senate Amendment.

On motion of Mr. Thomas, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 129, A bill to be entitled An act to provide for service of process on all unincorporated organizations, associations and/or societies.

For concurrence in the Senate Amendment.

On motion of Mr. Taylor of Mecklenburg, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 102, A bill to be entitled An act to amend and rewrite section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.

Referred to the Committee on Health.

S. B. 126, A bill to be entitled An act to authorize County Commissioners of Clay County, Town Council of the Town of Hayesville, North Carolina, and W. L. Matheson, ex-clerk of Clay County Superior Court, to write off their deposits an equal amount to all other depositors of the Clay County Bank.

Referred to the Committee on Banks and Banking.

S. B. 128, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Cumberland County to accept County vouchers in payment of taxes.

Referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 24, A bill to be entitled An act relating to, and limiting leasing of oyster beds in Hyde County.

Mr. Davis offers a substitute for the bill which is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 43, A bill to be entitled An act for the relief of Mecklenburg County, and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 48, A bill to be entitled An act to amend section 2334 of the Consolidated Statutes, relating to the Grand Jury for Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 85, A bill to be entitled An act to make the office of the Solicitor of the Recorder's Court of Lincoln County elective.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 111, A bill to be entitled An act to transfer the office of Legislative Reference Librarian to the Department of the Attorney General, and to amend section 6147 of Consolidated Statutes.

Passes its second and third readings, and is ordered Enrolled.

S. B. 113, A bill to be entitled An act to provide for voluntary return by Members of the Judiciary of a portion of their compensation.

Passes its second and third readings, and is ordered Enrolled.

S. B. 24, A bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said Town.

The bill fails to pass its second reading.

S. B. 44, A bill to be entitled An act to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Committee amendment adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 45, A bill to be entitled An act to amend Section 5192 of the Consolidated Statutes of North Carolina, relating to license fees of building and loan association agents.

Passes its second and third readings, and is ordered Enrolled.

S. B. 46, A bill to be entitled An act to amend Section 5184 of the Consolidated Statues of North Carolina, relating to building and loan associations.

Passes its second and third readings, and is ordered Enrolled.

Committee Substitute for:

H. B. 178, A bill to be entitled An act to provide for the better collection of dog and poll taxes in Currituck County.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 182, A bill to be entitled An act to limit the liability of Cleveland County for court costs.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 200, A bill to be entitled An act prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County.

Passes its second reading, and remains on the Calendar.

H. B. 210, A bill to be entitled An act to amend Section 1443 of the Consolidated Statutes, relating to the terms of Court for Caswell County and Rockingham County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 220, A bill to be entitled An act to amend Section 1893 of Volume III of the Consolidated Statutes, relating to tax on oysters.

Passes its second reading, and remains on the Calendar.

H. B. 223, A bill to be entitled An act to amend Section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 224, A bill to be entitled An act to amend Section 6411 of the Consolidated Statutes of 1919 to require foreign insurance companies to pay premium receipt tax after retirement from this state.

On motion of Mr. Johnson of Pender, the bill is laid on the Table.

H. B. 226, A bill to be entitled An act to amend Section 6394 of the Consolidated Statutes of 1919 to eliminate that part of the Section which exempts certain classes of insurance companies from filing rates.

On motion of Mr. Johnson of Pender, the bill is recommitted to the Committee on Insurance.

S. B. 47, A bill to be entitled An act to amend Chapter 93 of the Consolidated Statutes of North Carolina, Sub-Chapter 1, relating to building and loan associations.

Passes its second and third readings, and is ordered Enrolled.

S. B. 48, A bill to be entitled An act authorizing building and loan associations of this State to become members and purchase stock of the Federal Home Loan Bank.

Passes its second and third readings, and is ordered Enrolled.

S. R. 57, Joint resolution, providing for the celebration of the Centennial of the laying of the Cornerstone of the North Carolina State Capitol.

Passes its second and third readings, and is ordered Enrolled.

### STATEMENT BY MEMBERS

January 26, 1933.

I wish to state that I caused my name to be removed from this bill, H. B. 216, before it went to Committee because the bill was not what I thought it was.

MARSHALL A. THOMPSON.

January 26, 1933.

I took my name off H. B. 216, before the Committee hearing. This was done because I was informed that it did not affect counties, but the provisions of the bill did.

I stated my position in the Committee and voted to report the bill unfavorable.

W. AVERY THOMPSON.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 14, An act to repeal Chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

H. B. 62, An act to repeal Chapter 29, Private Laws, 1907, relating to the Charter of the Town of Whittier in Swain and Jackson Counties.

H. B. 73, An act to amend Section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

H. B. 75, An act relating to the holding of the Superior Courts of Davidson County.

H. B. 110, An act to prohibit the practicing of law by registers of deeds, being an amendment to Chapter 4, Section 198, of the Consolidated Statutes.

H. B. 155, An act to amend Section 65(a) of Volume III of the Consolidated Statutes, relating to payment to Clerk of sums not exceeding three hundred dollars due intestates, making the same apply to Wilson County.

S. B. 5, An act to limit the powers of Justices of Peace and Constables of Mecklenburg County in the exercises of their offices.

On motion of Mr. Doughton, the House adjourns, and will meet tomorrow at 12 o'clock noon.

# TWENTY-FIRST DAY

House of Representatives, Friday, January 27, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. H. A. Cox of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. W. S. Thomas of Richmond County, former Member of the House.

REPORT BY DEPARTMENT OF REVENUE IN COMPLIANCE WITH HOUSE RESOLUTION 68

In compliance with Joint resolution requiring the Department of Revenue to report a detail statement showing the names and amounts, and reason for non-payment, of each check in the Revenue Department unpaid, and all other items past due sixty days or more, a report is submitted and referred to the Committee on Finance.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 290, A bill to be entitled An act to consolidate Charleston and Oconalufty Townships in Swain County into one township, to be known as Charleston Township.

And.

H. B. 234, A bill to be entitled An act to amend Chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales, and to validate sales made thereunder.

And,

H. B. 235, A bill to be entitled An act to amend Section 130 of the Consolidated Statutes and Chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Duplin County to lay off homesteads.

And.

H. B. 208, A bill to be entitled An act to amend Chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the County of Northampton under the provisions of this Act.

And,

H. B. 276, A bill to be entitled An act to repeal Chapter 357 of the Public-Local Laws of 1927, relating to the Jury Commission of Transylvania County, and providing that non-payment of taxes shall not prevent Service on Jury in said County.

And,

H. B. 195, A bill to be entitled An act to amend Chapter 212, Public-Local Laws of 1929, relating to bond of Tax Collector of Haywood County.

With favorable reports.

And.

H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between one-thirty and six-thirty p.m. on Sundays.

The bill reported without prejudice.

And,

H. B. 136, A bill to be entitled An act to amend Section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

With a favorable report, as amended.

And,

H. B. 173, A bill to be entitled An act to place liabilities on corporations, associations and/or persons in placing limited authority on their agents. With unfavorable report.

By Mr. Etheridge, for the Committee on Banks and Banking:

S. B. 126, A bill to be entitled An act to authorize County Commissioners of Clay County, Town Council of the Town of Hayesville, North Carolina, and W. L. Matheson, Ex-clerk of Clay County Superior Court to write off their deposits an equal amount to all other depositors of the Clay County Bank.

With a favorable report.

By Mr. Doughton of Alleghany, for the Committee on Finance:

S. B. 128, A bill to be entitled An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes.

With a favorable report.

And,

H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountains National Park.

The Committee recommends that the bill be recommitted to the Committee on Judiciary No. 2.

It is so ordered.

By Mr. Groves, for the Committee on Manufacture of Labor:

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

With unfavorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 296, A bill to be entitled An act for the improvement of rural cemeteries in Alamance County.

And,

H. B. 248, A bill to be entitled An act to repeal Section 2, Chapter 238, Public-Local Laws, 1929, and to authorize the Commissioners of Haywood County to designate a depository for public funds in Haywood County.

H. B. 179, A bill to be entitled An act authorizing the Commissioners of Currituck County to appoint a prosecuting attorney for said county.

And,

H. B. 274, A bill to be entitled An act to extend the time for payment of water and sewer assessments due to the Board of Water Commissioners of Hendersonville, North Carolina.

And,

S. B. 6, A bill to be entitled An act to amend Chapter 124 of the Private Laws of North Carolina, Session 1929, relating to a civil service for employees of the City of Charlotte.

And.

S. B. 9, A bill to be entitled An act to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

And.

S. B. 82, A bill to be entitled An act to amend Chapter 42, Private Laws, Extra Session, 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton.

And.

H. B. 285, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Elkin.

With favorable reports.

And,

H. B. 61, A bill to be entitled An act to authorize Elbert Welch, Ex-Treasurer of Swain County to buy Swain County bonds or any of the township bonds, and turn same over to the Board of County Commissioners in payment of any indebtedness he, as Ex-treasurer, may owe Swain County.

And.

H. B. 144, A bill to be entitled An act to amend Chapter 253 of Private Laws, 1913, and Chapter 159 of Private Laws, 1917, relating to the boundaries of the Town of Rutherfordton.

With unfavorable reports.

And.

H. B. 180, A bill to be entitled An act to repeal Chapter 23, Public-Local Laws, Extra Session, 1924, relating to rural policemen in Currituck County.

With an unfavorable report as to bill; favorable report as to Committee substitute.

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 226, A bill to be entitled An act to amend Section 6394 of Consolidated Statutes, 1919, to eliminate that part of the Section which exempts certain classes of insurance companies from filing rates.

With a favorable report.

And.

H. B. 222, A bill to be entitled An act to amend Section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety companies to make deposits.

And.

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

With unfavorable report as to bill; favorable as to Committee substitute.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Taylor of Mecklenburg, Boyd, Garibaldi, Scarborough, Bowie, Sigmon, Wilson, Randolph and Brown: H. R. 312, Joint resolution of the House of Representatives, requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him seeking to create propaganda against the abolition of our Industrial Commission.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Gilliam: H. R. 313, Joint resolution to require contracts with State engineers, using their own cars, to be transmitted and exhibited to the House of Representatives and to the Committee on Salaries and Fees, and to require details of such contracts to be reported and operations thereunder.

Referred to the Committee on Salaries and Fees.

By Messrs. Graham and Boyd, by request: H. B. 314, A bill to be entitled An act to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the school.

Referred to the Committee on Reorganization of State Government.

By Mr. Flanagan: H. B. 315, A bill to be entitled An act to promote economy by using qualified convict labor in the operation of trucks for road maintenance and in building up and maintaining the shoulders of highways.

Referred to the Committee on Penal Institutions.

By Messrs. Braddy, Binford and Mebane: H. B. 316, A bill to be entitled An act to reduce the total cost of marriage license from five dollars to three dollars.

Referred to the Committee on Salaries and Fees.

By Messrs. Binford, Mebane and Phillips: H. B. 317, A bill to be entitled An act to prohibit seining and trapping fish in the Dan and Mayo Rivers in Rockingham and Stokes counties.

Referred to the Committee on Conservation and Development.

By Mr. Froneberger: H. B. 318, A bill to be entitled An act giving the Board of County Commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 319, A bill to be entitled An act relating to official bonds of public officers in Gaston County.

Referred to the Committee on Judiciary No. 2.

By Mr. Taylor of Mecklenburg: H. B. 320, A bill to be entitled An act relating to costs, and to trial by jury, in criminal actions tried in the County Recorder's Court of Mecklenburg County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Wilson: H. B. 321, A bill to be entitled An act to regulate hunting in Caswell County.

Referred to the Committee on Game.

And.

H. B. 322, A bill to be entitled An act to regulate seining in Caswell County.

Referred to the Committee on Conservation and Development.

And.

H. B. 323, A bill to be entitled An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Caswell County to accept county vouchers in payment of taxes.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 324, A bill to be entitled An act to promote the increase of investments in the State of North Carolina, and for the listing of such investments for taxation purposes, and to amend Section Three of Article Five of the Constitution.

Referred to the Committee on Constitution Amendments.

"By Mr. Taylor of Currituck: H. B. 325, A bill to be entitled An act to repeal Chapter 112 of Public-Local Laws of 1931, relating to the bond of County Treasurer of Currituck County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 326, A bill to be entitled An act to repeal Chapter 396 of Public-Local Laws of 1931, relating to place of meeting of Board of Education in Currituck County.

Referred to the Committee on Education.

By Mr. English: H. R. 327, Joint resolution, relative to Trinity Parent-Teachers' Association.

Referred to the Committee on Education.

By Messrs. Dees, Thompson of Beaufort, Davis and Hamilton: H. B. 328, A bill to be entitled An act to amend certain Sections of Article 4, Chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State.

Referred to the Committee on Commercial Fisheries.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 51, A bill to be entitled An act to amend Chapter 145 of Public Laws of 1931 so as to repeal the sixty-day minimum term for commitment to district prison camps.

Referred to the Committee on Penal Institutions.

S. B. 71, A bill to be entitled An act to amend Chapter 338, Section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor.

Referred to the Committee on Finance.

H. B. 266, A bill to be entitled An act to clarify the statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.

For concurrence in the Senate amendment.

On motion of Mr. Sullivan, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 37, A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Union County from the Absentee Voters Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 220, A bill to be entitled An act to amend Section 1893 of Volume III of the Consolidated Statutes, relating to tax on oysters.

On motion of Mr. Dees, consideration of the third reading of the bill is postponed until February 3d.

H. B. 232, A bill to be entitled An act to repeal Chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 96, A bill to be entitled An act to amend Section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases in Hertford County.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 108, A bill to be entitled An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 200, A bill to be entitled An act prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County.

Passes its third reading, and is ordered sent to the Senate without Engrossment.

H. B. 205, A bill to be entitled An act to repeal Chapter 174, Public-Local Laws, Session 1927, being An act to repeal the County Primary Law for Caldwell and Yancy counties, and Chapter 413, Public-Local Laws of 1929, amendatory to said Chapter 174.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 93, A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Macon County from Absentee Voters Law.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 190, A bill to be entitled An act to repeal the Absentee Ballot Law for Yancey County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 30, A bill to be entitled An act to amend Sub-chapter 11, entitled "Primary Elections," Section 6023, of Consolidated Statutes, relating to fees for filing notice of candidacy by members of county boards of education.

Passes its second reading, and remains on Calendar.

H. B. 216, A bill to be entitled An act to repeal the State-wide Primary Law.

On motion of Mr. Wilson, the bill is recommitted to the Committee on Election Laws.

H. R. 283, House resolution to appoint a committee to investigate and report a plan for constructive coöperation between State and Federal agencies in the distribution of Federal aid to unemployed.

An amendment offered by Mr. Everett, changing the resolution from a joint resolution to a House resolution is adopted.

The House resolution is adopted.

Pursuant to above House resolution, the Speaker appoints, as a committee, Messrs. Everett, Beasley and Mebane.

Mr. Crews moves that the vote by which S. B. 24, A bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said Town, failed to pass on its second reading, be reconsidered, and that the consideration of this motion be deferred until next Thursday, February 2, 1933.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 45, An act to amend Section 5192 of the Consolidated Statutes of North Carolina, relating to license fees building and loan association agents.
- S. B. 46, An act to amend Section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations.
- S. B. 47, An act to amend Chapter 93 of the Consolidated Statutes of North Carolina, Sub-chapter 1, relating to building and loan associations.
- S. B. 48, An act authorizing building and loan associations of this state to become members and purchase stock of the Federal Home Loan Bank.
- S. R. 57, Joint resolution providing for the celebration of the Centennial of the laying of the corner stone of the North Carolina State Capitol.
- S. B. 111, An act to transfer the office of Legislative Reference Librarian to the Department of the Attorney General and to amend Section 6147 of Consolidated Statutes.
- S. B. 113, An act to provide for voluntary return by members of the Judiciary of a portion of their compensation.

- H. B. 41, An act to repeal Chapter 108, Public-Local Laws of North Carolina, Session of 1899, relating to the office of cotton weigher for the City of Charlotte, and to abolish said office.
- H. B. 44, An act to repeal Chapter 199 of the Public Laws of 1893, relating to the meeting of the Board of County Commissioners of Mecklenburg County.
- H. B. 126, An act to expedite the trial of criminal cases and to dispense with jury trial therein.
- H. B. 45, An act to amend Chapter 212, Public-Local Laws of 1929, relating to the salary of Tax Collector in Haywood County.
- H. B. 65, An act to repeal Chapter 461 of the Public-Local Laws of 1931, being An act to appoint Edward D. Davis Special Enforcement Officer for Warren County for a term of two years.
- H. B. 91, An act to authorize the Mayor and Board of Aldermen of the Town of Waynesville, to sell the chestnut and pulp timber on the Town watershed.
- H. B. 129, An act to provide for service of process on all unincorporated organizations, associations and/or societies.
- H. B. 154, An act to validate certain acts of the Board of Commissioners of the Town of Elkin.
- H. B. 163, An act to amend Section 3, Chapter 26, Private Laws of 1905, as amended by Section 2, Chapter 189, Private Laws of 1915, relating to the number of Aldermen for the Town of Franklin in Macon County.
- H. B. 187, An act to authorize the Board of Commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency.
- Mr. Garibaldi makes a motion that the House adjourn until ten o'clock tomorrow, and that when it adjourns tomorrow, it adjourn to meet Monday night at eight o'clock p.m.

It is so ordered.

# TWENTY-SECOND DAY

House of Representatives, Saturday, January 28, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. K. Davenport of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 93, A bill to be entitled An act to amend Sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Macon County and Lee County from the Absentee Voters Law.

And,

H. B. 190, A bill to be entitled An act to repeal the Absentee Ballot Law for Yancey, Wake and Wayne counties.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Doughton of Alleghany: H. B. 329, A bill to be entitled An act to place Mrs. Sallie Shepherd, widow, upon the Pension Roll.

Referred to the Committee on Pensions.

### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 35, A bill to be entitled An act to amend Section  $12\frac{1}{2}$  of Chapter 430, Public Laws 1931, relating to summer school requirements for teachers.

Referred to the Committee on Education.

S. B. 66, A bill to be entitled An act to amend Chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies. Referred to the Committe on Insurance.

S. B. 77, A bill to be entitled An act to provide for the appointment of guardians of the estate under certain conditions.

Referred to the Committee on Judiciary No. 1.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 179, A bill to be entitled An act authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 180, A bill to be entitled An act to repeal Chapter 23, Public-Local Laws, Extra Session 1924, relating to rural policemen in Currituck County. Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 195, A bill to be entitled An act to amend Chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 248, A bill to be entitled An act to repeal Section 2, Chapter 238, Public-Local Laws of 1929, and to authorize the commissioners of Haywood County to designate a depository for public funds in Haywood County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 274, A bill to be entitled An act to extend the time for payment of water and sewer assessments due to the Board of Water Commissioners of Hendersonville, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 276, A bill to be entitled An act to repeal Chapter 357 of the Public-Local Laws of 1927, relating to the Jury Commission of Transylvania County, and providing that non-payment of taxes shall not prevent service on jury in said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 285, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Elkin.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 290, A bill to be entitled An act to consolidate Charleston and Oconalufty Townships in Swain County into one township to be known as Charleston Township.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 296, A bill to be entitled An act for the improvement of rural cemeteries in Alamance County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 6, A bill to be entitled An act to amend Chapter 124 of the Private Laws of North Carolina, Session 1929, relating to civil service for employees of the City of Charlotte.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 9, A bill to be entitled An act to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

Passes its second and third readings, and is ordered enrolled.

S. B. 82, A bill to be entitled An act to amend Chapter 42, Private Laws, Extra Session 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton.

Passes its second and third readings, and is ordered enrolled.

S. B. 126, A bill to be entitled An act to authorize County Commissioners of Clay County, Town Council of the Town of Hayesville, North Carolina, and W. L. Matheson, Ex-Clerk, Clay County Superior Court to write off their deposits an equal amount to all other depositors of the Clay County Bank.

Passes its second and third readings, and is ordered enrolled.

S. B. 128, A bill to be entitled An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes.

Passes its second and third readings, and is ordered enrolled.

Pursuant to motion made at yesterday's Session, and on motion of Mr. Wilson, the House adjourns and will meet Monday night at 8:00 o'clock, p.m.

# TWENTY-THIRD DAY

House of Representatives,

MONDAY NIGHT, January 30, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. W. Davidson of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. George R. Ward of Duplin County, and Mr. J. T. Wells of Pender County, former members of the House.

Indefinite leave of absence is granted to Messrs. Womble and Berryman, on account of sickness.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Tompkins: H. B. 330, A bill to be entitled An act to amend Section 1443 of Volume III of the Consolidated Statutes, relating to the Courts in Jackson County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Randolph: H. B. 331, A bill to be entitled An act to prevent deception in the storing, selling or offering for sale, any liquid fuels, lubricating oil, greases, or other similar products; to prohibit the sale of such products from any container, tank, pump, or other distributing device other than those of the manufacturer or exhibitor indicated by the name, trade-mark, symbol, sign, or other distinguishing marks appearing upon said tank, pump, or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade-mark, or markings on any building or equipment of any marketer of liquid fuels, and for other purposes.

Referred to the Committee on Roads.

By Mr. Sullivan: H. B. 332, A bill to be entitled An act for the relief of H. E. Roberts in the practice of pharmacy.

Referred to the Committee on Health.

By Mr. Howell: H. B. 333, A bill to be entitled An act to extend the time for payment of municipal street assessments in the Town of Waynesville.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 334, A bill to be entitled An act to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system.

Referred to the Committee on Health.

By Mr. Aycock of Wake: H. B. 335, A bill to be entitled An act to amend Section 21, Chapter 4, Public Laws of 1921, and Section 1, Chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

Referred to the Committee on Banks and Banking.

By Mr. Douglass: H. B. 336, A bill to be entitled An act to amend Section 29, Chapter 60, Public Laws 1931, so as to permit investment of sinking funds in tax sales certificates.

Referred to the Committee on Finance.

By Mr. Hoyle: H. B. 337, A bill to be entitled An act amending Chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

Referred to the Committee on Judiciary No. 2.

By Mr. Hoyle (by request): H. B. 338, A bill to be entitled An act amending Chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

Referred to the Committee on Judiciary No. 2.

By Mr. Galloway: H. B. 339, A bill to be entitled An act for the relief of Cos Paxton, Ex-Sheriff and Tax Collector for Transylvania County.

Referred to the Committee on Counties, Cities and Towns.

H. B. 340, A bill to be entitled An act to amend Chapter 119, Public Laws of 1929, as amended by the Public Laws of 1931.

Referred to the Committee on Health.

And,

H. B. 341, A bill to be entitled An act to change the method of arriving at the value of stolen property.

Referred to the Committee on Propositions and Grievances.

H. B. 342, A bill to be entitled An act to vest the appointment of Justices of the Peace in the hands of the County Commissioners and Clerks of the Superior Courts, jointly.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Watson and Ewing: H. B. 343, A bill to be entitled An act to amend and add to Sub-section 14, Section 34, Chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

Referred to the Committee on Roads.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 67, A bill to be entitled An act to repeal Chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon counties.

Referred to the Committee on Propositions and Grievances.

S. B. 49, A bill to be entitled An act relating to the appointment of receivers for building and loan associations.

Referred to the Committee on Judiciary No. 1.

S. B. 85, A bill to be entitled An act to amend Chapter 119, Public Laws 1929, and Chapter 32, Public Laws 1931, relating to State Barbers License Law.

Referred to the Committee on Health.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 7, A bill to be entitled An act to grant a moratorium on all loans to war veterans under the World War Veterans Loan Act.

Mr. Johnson of Chatham offers a substitute for the bill.

The substitute bill is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 136, A bill to be entitled An act to amend Section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

The Committee amendment is adopted.

The bill, as amended, passed its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 208, A bill to be entitled An act to amend Chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the County of Northampton under the provisions of this act.

The bill, as amended, passes its second and third readings, and is ordered engrossed and sent to the Senate.

H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between 1:30 and 6:30 p.m. on Sundays.

On motion of Mr. Sullivan, the bill is made a Special Order for Friday, February 3d.

H. B. 234, A bill to be entitled An act to amend Chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosures sales, and to validate sales made thereunder.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 235, A bill to be entitled An act to amend Section 130 of the Consolidated Statutes and Chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin County to lay off homesteads.

As amended, the bill passes its second and third readings, and is ordered engrossed and sent to the Senate.

S. B. 30, A bill to be entitled An act to amend Sub-Chapter 11, entitled "Primary Elections," Section 6023 of Consolidated Statutes, relating to fees for filing notice of candidacy by members of County Boards of Education.

On motion of Mr. Gattis, the bill is laid on the Table.

Committee substitute for:

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

Committee substitute adopted, and remains on the Calendar for its several readings.

Committee substitute for:

H. B. 222, A bill to be entitled An act to amend Section 6442 of the Consolidated Statutes of 1919 and to require casualty and surety companies to make deposits.

On motion of Mr. Johnson of Pender, the bill is recommitted to the Committee on Insurance.

H. B. 226, A bill to be entitled An act to amend Section 6394 of the Consolidated Statutes of 1919, to eliminate that part of the Section which exempts certain classes of insurance companies from filing rates.

On motion of Mr. Grant, the bill is laid on the Table.

Pursuant to the provisions of S. R. 84, a joint resolution for the appointment of a Committee to attend the Inter-State Conference, at Washington, D. C., on February 3, 1933, the Speaker announces the appointment of the Gentleman from Rowan, Mr. Murphy, as a delegate on the part of the House.

### ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- H. B. 43, An act for the relief of Mecklenburg County and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.
- H. B. 204, An act to consolidate the collection of current and delinquent taxes now collected by the Sheriff and Register of Deeds of Robeson County by the appointment of a Revenue and Tax Assistant to the County Manager.
- H. B. 258, An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes.
- S. B. 44, An act to amend Section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.
- S. R. 84, A joint resolution for the appointment of a Committee to attend the Interstate Conference of Legislators at Washington, D. C., on February 3, 1933.
- H. B. 266, An act to clarify the statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.
  - H. B. 27, An act to establish a law library in Haywood County.
- H. B. 36, An act to repeal certain provisions of Section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.
- S. B. 9, An act to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.
- S. B. 126, An act to authorize County Commissioners of Clay County, Town Council of the Town of Hayesville, North Carolina, and W. L. Matheson, Ex-Clerk, Clay County Superior Court, to write off their deposits an equal amount to all other depositors of the Clay County Bank.

S. B. 128, An act to authorize, empower and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes.

S. B. 82, An act to amend Chapter 42, Private Laws, Extra Session 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton.

On motion of Mr. Murphy, the House adjourns, and will meet tomorrow at 11:00 o'clock.

# TWENTY-FOURTH DAY

House of Representatives, Tuesday, January 31, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. R. Farris of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Lee, for the Committee on Health:

S. B. 102, A bill to be entitled An act to amend and re-write Section 6618 of the Consolidated Statutes, relating to the revocation of license of physicians.

With a favorable report.

By Mr. Brawley, for the Committee on Reorganization of State Government.

H. B. 119, A bill to be entitled An act to eliminate unnecessary expense by abolishing the Department of Conservation and Development, and to enlarge the duties of the Department of Agriculture.

With an unfavorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. R. 81, Joint Resolution requesting that all joint land banks and other holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

With unfavorable report as to bill; favorable as to Committee Substitute. Mr. Cox, for the Committee on Rules, begs leave to report, a quorum being present, the Committee recommend that the Chairman of the Committee on Commercial Fisheries, be permitted to employ a Clerk to said Committee for Fifteen days only, and respectfully recommend the adoption of this report.

The report is adopted.

# ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 136, A bill to be entitled An act to amend Section 3484 of the Consolidated Statutes of North Carolina relating to railroad policemen.

H. B. 235, A bill to be entitled An act to amend Section 730 of the Consolidated Statutes and Chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin, Graham and Martin counties to lay off homesteads.

H. B. 208, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the counties of Northampton, Franklin and Yadkin under the provisions of this Act.

## SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

S. B. 89, A bill to be entitled An act to repeal chapter 147, Public Laws of 1929, relating to the appointment of an executive counsel.

On motion of Mr. Brawley, the bill is placed on the Calendar.

S. B. 92, A bill to be entitled An act to repeal chapter 157, Public Laws of 1927, Chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931, and any and all other laws relating to and providing for a tax commission.

On motion of Mr. Brawley, the bill is placed on the Calendar.

S. B. 146, A bill to be entitled An act to amend chapter 25 of Public-Local Laws of 1929, relating to the office of Auditor of Rutherford County.

On motion of Mr. Griffin, the rules are suspended and the bill is placed

Passes its second and third readings and is ordered Enrolled.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Bowie: H. B. 344, A bill to be entitled An act to fix the number and term of officers of the Board of Education for the County of Ashe, and to define their duties.

Referred to the Committee on Education.

on its immediate passage.

And,

H. B. 345, A bill to be entitled An act to abolish the office of County Auditor, Welfare Officer and County Agent for the County of Ashe and to transfer their duties to other county officers.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 346, A bill to be entitled An act to repeal chapter 425 of the Public-Local Laws of 1931 relative to the boundary line between the County of Ashe and the County of Wilkes.

Referred to the Committee on Propositions and Grievances.

And

H. B. 347, A bill to be entitled An act to amend chapter 247 of the Public-Local Laws of 1929, and chapter 333 of Public-Local Laws of 1931, abolishing the Board of Road Commissioners for the County of Ashe.

Referred to the Committee on Roads.

And,

H. B. 348, A bill to be entitled An act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

Referred to the Committee on Finance.

, And,

H. B. 349, A bill to be entitled An act to employ a Court Stenographer for the County of Ashe.

Referred to the Committee on Judiciary No. 2.

By Mr. Williams: H. B. 350, A bill to be entitled An act to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents.

Referred to the Committee on Finance.

By Mr. Randolph: H. B. 351, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of Court for Swain County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Ledford: H. B. 352, A bill to be entitled An act to amend section 2312 of the Consolidated Statutes exempting Clay County from the requirement of payment of taxes by jurors.

Referred to the Committee on Courts and Judicial Districts.

And,

H. B. 353, A bill to be entitled An act to amend chapter 335 of the Public Laws of 1929, repealing resident license requirements for fishing in the waters of Clay County, North Carolina.

Referred to the Committee on Conservation and Development.

And.

H. B. 354, A bill to be entitled An act to amend chapter 51 of the Public Laws of 1927, repealing the resident license requiring to hunt game in Clay County, North Carolina.

Referred to the Committee on Game.

By Messrs. Bean and Murphy: H. B. 355, A bill to be entitled An act authorizing and directing the State Highway Commission to reimburse the counties for the value of the road machinery and equipment turned over to the said commission on July 1, 1931.

Referred to the Committee on Finance.

By Mr. Neal: H. B. 356, A bill to be entitled An act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

Referred to the Committee on Judiciary No. 1.

On motion of Mr. Graham, the House adjourns, and will meet tomorrow at 12 o'clock.

# TWENTY-FIFTH DAY

House of Representatives, Wednesday, February 1, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Forrest Feezor, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Messrs. N. B. Kendrick of Gaston County, N. B. McDevitt of Madison County, W. I. Halstead of Camden County, L. P. Hamlin of Transylvania County and U. L. Spense of Moore County, former Members of the House.

### PETITIONS AND MEMORIALS

Petitions and memorials are presented by several Members and referred to appropriate committees.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. C. W. Allen, for the Committee on Salaries and Fees:

H. B. 247, A bill to be entitled An act to repeal chapter 283, Public-Local Laws, Session of 1931, relating to pay of County Commissioners of Columbus County.

And.

H. B. 265, A bill to be entitled An act to regulate certain fees of the courts and officers of the County of Harnett.

And.

H. B. 294, A bill to be entitled An act to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

And

H. B. 306, A bill to be entitled An act to amend section 2 of chapter 28 of the Public-Local Laws, Regular Session of the General Assembly of North Carolina, ratified the tenth day of February, 1931, relating to pay the Clerk of the Superior Court, etc.

And,

H. B. 316, A bill to be entitled An act to reduce the total cost of marriage license from five dollars to three dollars.

And.

H. B. 318, A bill to be entitled An act giving the Board of County Commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

And.

H. B. 71, A bill to be entitled An act to reduce the salaries of the State Highway Commissioners and all State Highway employees, receiving salaries above fifteen hundred dollars per annum.

With favorable reports.

And.

H. R. 313, Joint resolution to require contracts with State engineers, using their own cars, to be transmitted and exhibited to the House of Representatives and to the Committee on Salaries and Fees, and to require details of such contracts to be reported and operations thereunder.

With an unfavorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 339, A bill to be entitled An act for the relief of Cos Paxton, Ex-Sheriff and Tax Collector for Transylvania County.

The Committee recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

And,

H. B. 146, A bill to be entitled An act to abolish the office of tax collector and the Recorder's Court for Alexander County, and to fix the compensation of the county officers of said county.

With unfavorable report as to bill; favorable report as to Committee Substitute.

And.

H. B. 323, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Caswell County to accept county vouchers in payment of taxes.

And.

H. B. 345, A bill to be entitled An act to abolish the office of County Auditor, Welfare Officer and County Agent for the County of Ashe and to transfer their duties to other county officers.

S. B. 7, A bill to be entitled An act to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County.

With favorable reports.

And.

And.

H. B. 342, A bill to be entitled An act to vest the appointment of justices of peace in the hands of the County Commissioners and Clerks of the Superior Courts, jointly.

With an unfavorable report.

By Mr. Doughton of Alleghany, for the Committee on Finance:

S. B. 13, A bill to be entitled An act to amend section 1673 of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain counties.

And,

H. B. 26, A bill to be entitled An act to amend chapter 134, Public Laws, 1931, in so far as it affects Swain County.

And,

H. B. 58, A bill to be entitled An act to require banking institutions to report purchase and sale of tax-free securities in certain cases.

And,

H. B. 355, A bill to be entitled An act authorizing and directing the State Highway Commission to reimburse the counties for the value of road machinery and equipment turned over to the said Commission on July 1, 1931.

And.

H. B. 168, A bill to be entitled An act to extend the time for payment of 1933 motor vehicle licenses until March 1, 1933.

And.

H. B. 219, A bill to be entitled An act to apply surplus State Highway funds to debt service on county obligations for highways.

With unfavorable reports.

And.

H. B. 198, A bill to be entitled An act to authorize county authorities to revalue property for taxation in certain cases.

With unfavorable report as to bill; favorable as to Committee substitute. And.

H. B. 186, A bill to be entitled An act for the relief of Ex-Sheriff C. E. Moxley of Yadkin County.

And.

H. B. 303, A bill to be entitled An act to validate tax sales of towns and counties.

With favorable reports.

And.

H. B. 253, A bill to be entitled An act for the relief of sheriffs and tax collectors.

With favorable report, as amended.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 230, A bill to be entitled An act to prohibit the unauthorized practice of law in the State of North Carolina, exempting Caswell and Columbus counties from the operation thereof.

And.

H. B. 349, A bill to be entitled An act to employ a court stenographer for the County of Ashe.

And,

H. B. 209, A bill to be entitled An act to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

And.

H. B. 305, A bill to be entitled An act to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

And.

H. B. 333, A bill to be entitled An act to extend the time for payment of municipal street assessments in the Town of Waynesville.

And

S. B. 62, A bill to be entitled An act to amend chapter 697 of the Public-Local Laws of 1913, relating to the term of office of the Judge of the County Court of Wayne County.

And.

H. B. 231, A bill to be entitled An act to amend section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the Register of Deeds of the home county of the groom.

With favorable reports.

And,

S. B. 101, A bill to be entitled An act to validate the official acts of George W. Hardison, a notary public of Washington County.

With favorable report, as amended.

And.

H. B. 307, A bill to be entitled An act to validate the action of the county commissioners in postponing sale of land for taxes for the years 1930 and 1931.

The Committee recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Flanagan and Allen: H. R. 357, Joint resolution appointing a committee from the House of Representatives and the Senate for the purpose of examining into the different departments of the State and cutting salaries of all officers and employees, and making recommendations to the General Assembly on or before February 15, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. McLauchlin: H. B. 358, A bill to be entitled An act to authorize all common carriers operating in this State to issue annual passes to all sheriffs, and their lawful deputies, of the several counties of the State of North Carolina.

Referred to the Committee on Judiciary No. 1.

By Messrs. Moss and Watson: H. B. 359, A bill to be entitled An act to authorize and empower the governing authorities of counties, cities, or other subdivisions of government to permit amortization of delinquent taxes.

Referred to the Committee on Finance.

By Mr. Spruill: H. B. 360, A bill to be entitled An act to amend section 5168(j) of chapter 92, Volume III, Consolidated Statutes of North Carolina, as amended by chapter 300 of the Public Laws of North Carolina, Session of 1929, relating to pensions for widows of Confederate Veterans.

Referred to the Committee on Pensions.

By Messrs. Taylor of Halifax and Thompson of Columbus: H. B. 361, A bill to be entitled An act to amend chapter 120 of the Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

Referred to the Committee on Insurance.

By Mr. Etheridge: H. B. 362, A bill to be entitled An act relating to rate of interest on monthly balances of State funds, and of funds in the hands of the Commissioner of Banks.

Referred to the Committee on Banks and Banking.

By Mr. Johnson of Chatham: H. B. 363, A bill to be entitled An act amending Volume I, section 1389 of the Consolidated Statutes of North

Carolina, and Acts amendatory thereto, relating to the Financial Agent for the County of Chatham.

Referred to the Committee on Judiciary No. 1.

By Mr. Davis: H. B. 364, A bill to be entitled An act to provide for State maintenance of a school term of 160 days on the basis of a school week of six days or twenty-four days to the month, and amending sections 5390 and 5463 of the Consolidated Statutes.

Referred to the Committee on Education.

By Messrs. Graham and Thompson of Robeson: H. B. 365, A bill to be entitled An act to amend section 24, chapter 145, Public Laws of 1931, relating to refund of taxes on motor fuels used in grist mills, cotton gins and stationary engines.

Referred to the Committee on Roads.

By Mr. Moye: H. B. 366, A bill to be entitled An act to regulate the filling of State, county and municipal positions.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 367, A bill to be entitled An act to prohibit the setting of steel traps in Greene County.

Referred to the Committee on Propositions and Grievances.

And,

H. B. 368, A bill to be entitled An act to allow the killing of rabbits at any time in Greene County and to fix the open season for hunting squirrel in said county.

Referred to the Committee on Game.

By Mr. Rouse: H. B. 369, A bill to be entitled An act to adjust the differences between Lenoir County and the State Highway Commission.

Referred to the Committee on Roads.

By Mr. Culpepper: H. B. 370, A bill to be entitled An act to relieve landowners of Pasquotank Drainage District No. 1, Pasquotank County.

Referred to the Committee on Appropriations.

By Mr. Ruark: H. B. 371, A bill to be entitled An act to provide further economy in collection of delinquent taxes in Brunswick County.

Referred to the Committee on Finance.

By Messrs. Lumpkin and Davis: H. B. 372, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relative to rebate of gasoline tax and tax on gasoline used in all stationary engines.

Referred to the Committee on Roads.

By Mr. Bender: H. B. 373, bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Jones County to accept county vouchers in payment of taxes.

Passes first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Boswell, by request: H. B. 374, A bill to be entitled An act to amend chapter 427, section 153 of the Public Laws of 1931, relating to license taxes of motor vehicle dealers.

Referred to the Committee on Finance.

By Mr. Thompson of Beaufort: H. B. 375, A bill to be entitled An act to increase the number of Highway Commissioners from six to eight.

Referred to the Committee on Reorganization of State Government.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 90, A bill to be entitled An act to amend chapter 277, of the Laws of 1931, section 2, and abolishing the office of Director of Personnel, and transferring the duties and functions of said office to the Budget Bureau.

On motion of Mr. Cherry, the bill is placed on the Calendar.

S. B. 91, A bill to be entitled An act to amend chapter 60, Public Laws of 1931, providing for transfer of the duties of the Director of Local Government to the office of the State Treasurer.

On motion of Mr. Cherry, the bill is placed on the Calendar.

S. B. 154, A bill to be entitled An act to validate the official acts of Miss Margaret Carpenter, a notary public of Catawba County.

On motion of Mr. Arndt, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings and is ordered Enrolled.

S. B. 155, A bill to be entitled An act to provide for the filling of vacancies occurring in the Board of County Commissioners of Randolph County.

On motion of Mr. English, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee Substitute for:

H. R. 81, Joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The orginal resolution is laid on the Table.

Committee Substitute for:

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

On motion of Mr. Johnson of Pender, the original bill and Committee substitute are recommitted to the Committee on Insurance.

S. B. 89, A bill to be entitled An act to repeal chapter 147, Public Laws of 1929, relating to the appointment of an Executive Council.

An amendment offered by Mr. Murphy is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 92, A bill to be entitled An act to repeal chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931, and any and all other laws relating to and providing for a Tax Commission.

On motion of Mr. Cherry, the bill is recommitted to the Committee on Reorganization of State Government.

S. B. 102, A bill to be entitled An act to amend and re-write section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.

Passes its second reading, and remains on the Calendar.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 6, An act to amend chapter 124, of the Private Laws of North Carolina, Session of 1929, relating to a civil service for employees of the City of Charlotte.

S. B. 146, An act to amend chapter 25 of the Public-Local Laws of 1929, relating to the office of Auditor of Rutherford County.

On motion of Mr. Cameron, H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry is taken from the Unfavorable Calendar, and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Cox, the House adjourns, and will meet tomorrow at eleven o'clock.

# TWENTY-SIXTH DAY

House of Representatives, Thursday, February 2, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. McEachern, for the Committee on Agriculture:

H. B. 106, A bill to be entitled An act to amend Chapter 52, section 2532, of the Consolidated Statutes of North Carolina.

With a favorible report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 244, A bill to be entitled An act to amend section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors.

And,

H. B. 363, A bill to be entitled An act amending Volume I, section 1389, of the Consolidated Statutes of North Carolina and Acts amendatory thereto, relating to the financial agent of the County of Chatham.

And.

H. B. 358, A bill to be entitled An act to authorize all common carriers operating in this State to issue annual passes to all sheriffs, and their lawful deputies, of the several counties of the State of North Carolina.

With favorable reports.

And.

H. B. 249, A bill to be entitled An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina.

And,

S. B. 49, A bill to be entitled An act relating to the appointment of receivers for building and loan associations.

With favorable reports, as amended.

And,

H. B. 46, A bill to be entitled An act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other form of sport or profiteering, as making pictures for sale, fortune telling, etc., during the three days session of the Upper and Lower Country Line Primitive Baptist Associations within a distance closer than one and one-half miles of said meeting.

With an unfavorable report as to bill, favorable as to substitute. And,

H. B. 131, A bill to be entitled An act to repeal sub-sections 2 and 3 of section 442 of the Consolidated Statutes of North Carolina, providing for a two year Statute of Limitations on actions for the recovery of usurious interest and for the forfeiture of all interest for usury.

And,

H. B. 149, A bill to be entitled An act to prescribe the punishment for the crime of kidnaping for ransom and to define the same.

And,

H. B. 299, A bill to be entitled An act requiring that notice be given to a going concern before a receiver can be appointed therefor.

With unfavorable reports.

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 222, A bill to be entitled An act to amend section 6442 of the Consolidated Statutes of 1919 and to require casualty and surety companies to make deposits.

And,

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

With unfavorable reports as to the bills; favorable as to the committee substitutes.

And,

S. B. 66, A bill to be entitled An act to amend chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies. With a favorable report.

By Mr. Graham, for the Committee on Education:

H. B. 107, A bill to be entitled An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

The Committee recommends that the bill be recommitted to the Committee on Public Welfare.

It is so ordered.

And,

H. B. 80, A bill to be entitled An act to amend chapter 278 of the Public Laws of 1931, relating to the number of members of the Board of Education of Wilkes County.

With a favorable report.

By Mr. Groves, for the Committee on Manufacturers and Labor:

H. B. 161, A bill to be entitled An act to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

With an unfavorable report as to bill; favorable as to the committee substitute.

By Mr. Gattis, for the Committee on Health:

S. B. 85, A bill to be entitled An act to amend chapter 119, Public Laws 1929, and chapter 32, Public Laws 1931, relating to State Barber's License Law. With a favorable report, as amended.

And.

H. B. 268, A bill to be entitled An act to protect the health of mothers and infants, and to regulate the practice of midwifery.

And.

H. B. 334, A bill to be entitled An act to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system.

With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Beasley: H. B. 376, A bill to be entitled An act to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the Recorder's Court of Monroe and Union County.

Referred to the Committee on Salaries and Fees.

By Mr. O'Berry; by request: H. B. 377, A bill to be entitled An act to amend chapter 170, Laws of 1921, relating to standard weight packages of hominy and grits.

Referred to the Committee on Agriculture.

By Mr. Bowie: H. B. 378, A bill to be entitled An act to authorize the Commissioners of the County of Ashe to refund the bonded indebtedness

of said County on a basis of the ability of the taxpayers to pay said bonded indebtedness.

Referred to the Committee on Finance.

And,

H. B. 379, A bill to be entitled An act relative to the holding of elections in the County of Ashe.

Referred to the Committee on Election Laws.

By Mr. Doughton of Alleghany: H. B. 380, A bill to be entitled An act to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts, and to further safeguard payment and prevent evasion.

Referred to the Committee on Finance,

By Mr. Cover: H. B. 381, A bill to be entitled An act supplemental to House Bill 266, the same being "A bill to be entitled An act to clarify the Statutes providing that stockholders of closed banks shall be required to pay only one stock assessment," ratified January 30, 1933, so as to include Cherokee and Clay counties.

Referred to the Committee on Banks and Banking.

By Mr. Ingram: H. B. 382, A bill to be entitled An act relating to and providing for extension of time for payment of taxes and interest charges upon delinquent taxes in Macon County.

Referred to the Committee on Finance.

By Mr. Tatem: H. B. 383, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes as amended, relating to terms of court in Tyrrell County.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Graham, Thompson of Robeson and Thompson of Columbus: H. B. 384, A bill to be entitled An act to amend section 150, Public Laws 1931, chapter 427 and section 139, Public Laws 1931, chapter 427, known as the Revenue Act, and relating to license taxes for pressing clubs, dry cleaning plants, hat blockers and laundries.

Referred to the Committee on Finance.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 130, A bill to be entitled An act relating to the election of Justices of the Peace for the County of Wayne.

Referred to the Committee on Justices of the Peace.

S. B. 141, A bill to be entitled An act to amend chapter 116 of the Private Laws of 1915, being An act to amend the Charter of the Town of Selma.

Referred to the Committee on Judiciary No. 2.

S. B. 160, A bill to be entitled An act to amend chapter 532, Public-Local Laws of 1917, being "An Act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said association."

Referred to the Committee on Judiciary No. 1.

S. B. 161, A bill to be entitled An act to authorize the issuance of script by Cumberland County.

On motion of Mr. Ewing, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

S. B. 162, A bill to be entitled An act to validate the acts of A. L. Woolard performed by him as Justice of the Peace since April 7, 1931, and to appoint said A. L. Woolard a Justice of the Peace for Carolina Township, Pitt County.

Referred to the Committee on Judiciary No. 2.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee Substitute for:

H. B. 198, A bill to be entitled An act to authorize county authorities to revalue property for taxation in certain cases.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 231, A bill to be entitled An act to amend Section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificates in the office of the Register of Deeds of the home county of the groom.

On motion of Mr. Wilson, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 253, A bill to be entitled An act for the relief of sheriffs and tax collectors.

As amended, the bill passes its second and third readings, and is ordered 'Engrossed and sent to the Senate.

H. B. 305, A bill to be entitled An act to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 303, A bill to be entitled An act to validate tax sales of towns and counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 306, A bill to be entitled An act to amend section 2 of Chapter 28, of the Public-Local Laws, Regular Session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay the Clerk of the Superior Court, etc.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 316, A bill to be entitled An act to reduce the total cost of marriage license from five dollars to three dollars.

On motion of Mr. Doughton of Alleghany, the bill is recommitted to the Committee on Finance.

H. B. 333, A bill to be entitled An act to extend the time for payment of municipal street assessments in the Town of Waynesville.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 345, A bill to be entitled An act to abolish the office of County Auditor, Welfare Officer and County Agent for the County of Ashe, and to transfer their duties to other county officers.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 349, A bill to be entitled An act to employ a court stenographer for the County of Ashe.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 7, A bill to be entitled An act to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 71, A bill to be entitled An act to reduce the salaries of the State Highway Commissioners and all State Highway employees receiving salaries above fifteen hundred dollars per annum.

On motion of Mr. Douglass, the bill is made a Special Order for February 16, 1933.

S. B. 62, A bill to be entitled An act to amend chapter 697, of the Public-Local Laws of 1913, relating to the term of office of the Judge of the County Court of Wayne County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 101, A bill to be entitled An act to validate the official acts of George W. Hardison, a notary public of Washington County.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 265, A bill to be entitled An act to regulate certain fees of the courts and officers of the County of Harnett.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 294, A bill to be entitled An act to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

Passes its secand and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 318, A bill to be entitled An act giving the Board of County Commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 323, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Caswell County to accept county vouchers in payment of taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 146, A bill to be entitled An act to abolish the office of Tax Collector and the Recorder's Court for Alexander County, and to fix the compensation of the county officers of said county.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 186, A bill to be entitled An act for the relief of Ex-Sheriff C. E. Moxley of Yadkin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 209, A bill to be entitled An act to amend Chapter 424, Public-Local Laws 1915, as amended by chapter 72, Public-Local Laws 1929.

On motion of Mr. Vann, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 247, A bill to be entitled An act to repeal chapter 283, Public-Local Laws, Session 1931, relating to pay of County Commissioners of Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 90, A bill to be entitled An act to amend Chapter 277 of the Laws of 1931, section 2, and abolishing the office of Director of Personnel and transferring the duties and functions of said office to the Budget Bureau.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

S. B. 91, A bill to be entitled An act to amend Chapter 60, Public Laws of 1931, providing for transfer of the duties of the Director of Local Government to the office of the State Treasurer.

Passes its second and third readings, and is ordered Enrolled.

S. B. 102, A bill to be entitled An act to amend and re-write section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.

An amendment offered by Mr. Sullivan is lost.

Passes its third reading, and is ordered Enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 155, An act to provide for the filling of vacancies occurring in the Board of County Commissioners of Randolph County.

S. B. 154, An act to validate the official acts of Miss Margaret Carpenter, a notary public of Catawba County.

H. B. 21, An act to validate certain conveyances executed in Surry County, prior of January 1, 1933.

H. B. 48, An act to amend section 2334 of the Consolidated Statutes, relating to the Grand Jury for Union County.

On motion of Mr. Murphy, the consideration of the motion made by Mr. Crews set for today, to reconsider the vote by which S. B. 24, a bill

to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town, failed to pass its second reading, and is postponed until February 24, 1933.

On motion of Mr. Randolph, H. B. 26, A bill to be entitled An act to amend chapter 134, Public Laws 1931, in so far as it affects Swain County, is taken from the unfavorable Calendar, and recommitted to the Committee on Finance.

On motion of Mr. Johnson of Pender, the House adjourns and will meet tomorrow at 11:00 o'clock.

# TWENTY-SEVENTH DAY

House of Representatives, Friday, February 3, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. C. J. Hollandsworth of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. W. H. S. Burgwyn of Northampton County, former Member of the House.

The Chair extended the courtesies of the floor to his life-long friend and business associate, Hon. J. A. Long, former Senator from the County of Person.

### PETITIONS AND MEMORIALS

Petitions and memorials are presented, read and referred to the appropriate committees.

## INVITATION EXTENDED THE MEMBERS

The following invitation is extended the Members of the General Assembly, by Representative R. O. Everett and wife:

On Tuesday afternoon, February 7, from four to five-thirty o'clock, Mrs. R. O. Everett, Chairman of the Sir Walter Cabinet, will entertain at tea at her home in Durham in honor of the wives of the Senators and Representatives comprising the Cabinet. Mrs. Everett invites each Senator and Representative to this tea, and requests that he extend the invitation for her to his wife, if she was not at the Cabinet meeting this week to receive it personally.

After this tea had been planned for the Cabinet and their husbands, Mr. Everett requested Duke University to extend some courtesy to these distinguished guests while they were in Durham. This Duke University graciously consented to do as a compliment to the Durham delegation. Each Representative, Senator and wife of a Legislator is invited to go from Mrs. Everett's tea to Duke University Chapel where an organ recital will be given from 5:45 to 6:30, followed by an informal supper in the Union at 6:30, and a carillon concert.

On motion of Mr. Johnson of Chatham, the invitation is accepted.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Bowie, for the Committee on Election Laws:

H. B. 101, A bill to be entitled An act to amend Chapter 59, Private Laws of North Carolina, Session of 1913, relating to city elections in the City of Raleigh.

With a favorable report, as amended.

By Mr. Graham of Robeson, for the Committee on Education.

H. B. 39, A bill to be entitled An act to repeal the Dog Tax Law as to Cherokee County.

With unfavorable report.

And.

H. B. 326, A bill to be entitled An act to repeal Chapter 396 of Public-Local Laws of 1931, relating to place of meeting of Board of Education in Currituck County.

With a favorable report.

By Mr. Doughton of Alleghany, for the Committee on Finance:

H. B. 272, A bill to be entitled An act to provide for the collection of delinquent taxes.

With unfavorable report,

And.

H. B. 348, A bill to be entitled An act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

And.

H. B. 380, A bill to be entitled An act to shorten time for payment of gasoline tax; to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion.

With favorable reports.

And,

H. B. 84, A bill to be entitled An act to amend Section 1 of Chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

With an unfavorable report as to bill and substitute, with a minority report attached to the substitute.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 325, A bill to be entitled An act to repeal Chapter 112 of the Public-Local Laws of 1931, relating to the bond of the County Treasurer of Currituck County.

And,

H. B. 292, A bill to be entitled An act to amend Chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

And.

H. B. 291, A bill to be entitled An act to amend Chapter 37, Public-Local Laws of 1931, relating to Tax Collector for Brunswick County.

With favorable reports.

And,

H. B. 366, A bill to be entitled An act to regulate the filling of State, county and municipal positions,

Bill reported without prejudice.

And,

H. B. 288, A bill to be entiled An act to require the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

With unfavorable report as to bill; favorable as to Committee Substitute.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

S. B. 141, A bill to be entitled An act to amend Chapter 116, of the Private Laws of 1915, being An act to amend the Charter of the Town of Selma.

And.

S. B. 55, A bill to be entitled An act to amend Section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

With favorable reports.

And.

H. B. 114, A bill to be entiled An act to amend Consolidated Statutes, 1793, relating to competency of defendant to testify in criminal actions.

With unfavorable report.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 253, A bill to be entitled An act for the relief of sheriffs and tax collectors.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Sullivan: H. R. 385, A bill to be entitled An act to amend Chapter 121, Private Laws, 1931, being "An act to incorporate the City of Asheville, to define its limits, to provide for its government and for other purposes."

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 386, A bill to be entitled An act to amend Chapter 93, Private Laws, 1927, being "An act to create a Firemen's Pension and Relief Board for the City of Asheville, and to provide for pensioning disabled and superannuated firemen."

Referred to the Committee on Counties, Cities and Towns.

By Mr. Taylor of Mecklenburg: H. B. 387, A bill to be entitled An act to provide for the payment of salaries of officers of the North Carolina Railroad Company into the general funds of the State.

Referred to the Committee on Finance.

And

H. B. 388, A bill to be entitled An act to establish for the City of Charlotte, the Charlotte Firemen's Retirement Fund Association.

Referred to the Committee on Judiciary No. 1.

By Messrs. Flanagan, Barden, Tatem and Hamilton: H. B. 389, A bill to be entitled An act to amend Chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

Referred to the Committee on Roads.

By Mr. Brock: H. B. 390, A bill to be entitled An act to exempt Davie County from the provisions of Chapter 119, Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina. Referred to the Committee on Judiciary No. 1.

By Dr. Douglass: H. B. 391, A bill to be entitled An act to tax persons, firms and corporations engaged in the business of buying and/or selling stocks, bonds, cotton, grain, provisions and other commodities.

Referred to the Committe on Finance.

By Mr. Ray: H. B. 392, A bill to be entitled An act to authorize the City of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the City of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Thompson of Columbus: H. R. 393, A bill to be entitled An act to repeal Chapter 229, Public-Local Laws, Session of 1931, authorizing the Board of County Commissioners of Columbus County to appoint rural policemen for Columbus County.

Referred to the Committee on Counties, Cities and Towns. And.

H. B. 394, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in Columbus County, State of North Carolina, and to permit the taxpayers to redeem all land sold for taxes for said years which was bid in by the County, and to provide for an extension of time for the payment of said delinquent taxes.

Referred to the Committee on Finance.

By Mr. Bowie: H. B. 395, A bill to be entitled An act to abolish the State Textbook Commission, and to prohibit the State Board of Education from changing books, either in primary or public high schools of North Carolina for a period of ten years from the date of the ratification of this act.

Referred to the Committee on Reorganization of State Government. And,

H. B. 396, A bill to be entitled An act to designate a depository for the public funds of the County of Ashe.

Referred to the Committee on Banks and Banking.

And,

H. B. 397, A bill to be entitled An act regulating the open season for game and providing for certain license fees in the County of Ashe.

Referred to the Committee on Game.

By Mr. Galloway: H. B. 398, A bill to be entited An act to pay part of the burial expenses of Miles M. Briant, a Confederate veteran of Transylvania County.

Referred to the Committee on Pensions.

And.

H. B. 399, A bill to be entitled An act to pay the burial expenses of William H. Aiken, a Confederate veteran of Transylvania County.

Referred to the Committee on Pensions.

By Messrs. Haynes, Bean and Douglass: H. R. 400, Joint resolution for the consideration of the North Carolina Legislature.

Referred to the Committee on Public Buildings and Grounds.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 81, A bill to be entitled An act to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections.

Referred to the Committee on Election Laws.

S. B. 97, A bill to be entitled An act to amend Section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court.

Referred to the Committee on Salaries and Fees.

S. B. 109, A bill to be entitled An act to amend Section 6054 of the Consolidated Statutes, placing Randolph County under the operation of the State-wide Primary Law.

Referred to the Committee on Election Laws.

S. R. 165, Joint resolution concerning former Lieutenant Governor Richard Tillman Fountain.

On motion of Mr. Johnson of Pender, the rules are suspended and the resolution is placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

A copy of the resolution is ordered spread on the Journal, as follows: Whereas, it has come to the attention of the General Assembly of North Carolina that former Lieutenant Governor Richard Tillman Fountain, who was formerly a member of this body and served it faithfully and acceptably, first as a Representative, then as Speaker of the House; and later as Presiding Officer of the Senate for two terms, is now incapacitated as the result of a long and serious illness, from which he is slowly recovering after much suffering, and

Whereas, the General Assembly is grateful to Governor Fountain for the splendid services rendered by him to his State, is appreciative of his worth as a citizen and conscious of the loss to the State of his services at this time.

Now, Therefore, be it resolved:

That the General Assembly of North Carolina hereby extends to Governor Fountains its sincere sympathy in this hour of his distress, and wishes for him a speedy recovery that he may again assume his position of helpfulness in the civic and political life of the State;

That a copy of these resolutions be sent to Mrs. Fountain with request that they be conveyed to her distinguished husband, and

That a copy be spread upon the records of the General Assembly.

#### SPECIAL ORDER

The hour for the special order having arrived, the Speaker lays before the House:

H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between 1:30 and 6:30 p.m. on Sundays.

On motion of Mr. Sullivan, the bill is recommitted to the Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 90, A bill to be entitled An act to amend Chapter 277 of the Laws of 1931, Section 2, and abolishing the office of Director of Personnel and transferring the duties and functions of said office to the Budget Bureau.

The bill, as amended, passes its third reading, and is ordered sent to the Senate for concurrence in the House amendment.

S. B. 49, A bill to be entitled An act relating to the appointment of receivers for building and loan associations.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

S. B., 66, A bill to be entitled An act to amend Chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies.

Passes its second and third readings, and is ordered Enrolled.

Committee substitute for:

H. B. 161, A bill to be entitled An act to amend Chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

The substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B.  $220_x$  A bill to be entitled An act to amend Section 1893 of Volume III of the Consolidated Statutes relating to tax on oysters.

Passes its third reading, and is ordered sent to the Senate without Engrossment.

H. B. 80, A bill to be entitled An act to amend Chapter 278 of the Public Laws of 1931, relating to the number of members of the Board of Education of Wilkes County.

On motion of Mr. Cowles, the bill is recommitted to the Committee on Education.

H. B. 106, A bill to be entitled An act to amend Chapter 52, Section 2532 of the Consolidated Statutes of North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 222, A bill to be entitled An act to amend Section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety companies to make deposits.

The substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

Committee Substitute for:

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

On motion of Mr. Johnson of Pender, the original bill and Committee Substitute are recommitted to the Committee on Judiciary No. 1.

H. B. 230, A bill to be entitled An act to prohibit the unauthorized practice of law in the State of North Carolina, exempting Caswell and Columbus counties from the operation thereof.

The bill fails to pass its second reading.

H. B. 244, A bill to be entitled An act to amend Section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 268, A bill to be entitled An act to protect the health of mothers and infants and to regulate the practice of midwifery.

On motion of Mr. Allen, the bill is laid on the Table.

H. B. 358, A bill to be entitled An act to authorize all common carriers operating in this State to issue annual passes to all sheriffs, and their lawful deputies, of the several counties of the State of North Carolina.

The bill fails to pass its second reading.

H. B. 363, A bill to be entitled An act amending Volume I, Section 1389 of the Consolidated Statutes of North Carolina, and Acts amendatory thereto relating to the Financial Agent of the County of Chatham.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 46, A bill to be entitled An act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other form of sport or profiteering as making pictures for sale, fortune telling, etc., during the three days' session of the Upper and Lower Country Line Primitive Baptist Association within a distance closer than one and one-half miles of said meeting.

The substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 334, A bill to be entitled An act to authorize the Towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 249, A bill to be entitled An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina.

The Committee amendment is adopted.

On motion of Mr. Cameron, the consideration of the bill is postponed until February 8, 1933.

On motion of Mr. Allen, H. B. 268, A bill to be entitled An act, to protect the health of mothers and infants and to regulate the practice of midwifery, is taken from the Table, and recommitted to the Committee on Health.

In compliance with H. R. 357, a joint resolution, appointing a committee from the House and Senate, for the purpose of examining into the different Departments of the State, the Speaker appoints as a committee on the part of the House, to act with a like committee from the Senate: Messrs. Allen, James, Massenburg, Warlick and Watson.

### ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 7, An act to provide for the establishment of a Civil Service Board for the rural policemen of Mecklenburg County.
- S. B. 62, An act to amend Chapter 697 of the Public-Local Laws of 1913, relating to the term of office of the Judge of the County Court of Wayne County.
- S. B. 89, An act to repeal Chapter 147, Public Laws of 1929, relating to the appointment of an Executive Council.
- S. B. 91, An act to amend Chapter 60, Public Laws of 1931, providing for transfer of the duties of the Director of Local Government to the office of the State Treasurer.
- S. B. 102, An act to amend and re-write Section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.
- S. B. 161, An act to authorize the issuance of script by Cumberland County. H. B. 32, An act relating to the Superintendent of the County Convict Farm of Hertford County.
- H. B. 232, An act to repeal Chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.
- H. R. 357, A joint resolution, appointing a committee from the House of Representatives and the Senate for the purpose of examining into the different Departments of the State and cutting salaries of all officers and employees, and making recommendations to the General Assembly on or before February 15, 1933.

Mr. Johnson of Chatham makes a motion that the House adjourn until ten o'clock tomorrow, and that when it adjourn tomorrow, it adjourns to meet Monday night at eight o'clock p.m.

It is so ordered.

### TWENTY-EIGHTH DAY

House of Representatives, Saturday, February 4, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. M. Poteat of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Cherry, for the Committee on Roads:

H. B. 271, A bill to be entitled An act to amend Chapter 209 of Public Laws of 1929, so as to exempt busses used exclusively in transporting children and adults to Sunday Schools and Churches from the payment of license fees.

And.

H. B. 331, A bill to be entitled An act to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump or other distributing device other than those of the manufacturer or distributer indicated by the name, trade mark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes.

And.

H. B. 157, A bill to be entitled An act to amend Chapter 336, Public Laws 1931, so as to change the rates for semi-trailers towed by passenger cars.

With favorable reports, as amended,

And.

H. B. 34, A bill to be entitled An act to amend Chapter 336, Public Laws of 1931, relating to the fee for registration and license plates for certain trailers.

With an unfavorable report.

And,

H. B. 115, A bill to be entitled An act to amend chapter 27 Public Laws 1927, changing the date of motor vehicle registration from December 31 to October 31, beginning in 1934.

With a favorable report.

#### RESOLUTIONS

A resolution offered by Mr. Graham, giving official recognition to the words and music of our State Toast, is adopted.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Bowie: H. B. 401, A bill to be entitled An act to authorize banks of deposit in certain instances to secure and protect deposits by a pledge of assets.

Referred to the Committee on Banks and Banking.

And.

H. B. 402, A bill to be entitled An act to amend Section 3346 of Consolidated Statutes of North Carolina and to validate probates before stockholders and directors of corporations.

Referred to the Committee on Corporations.

And.

H. B. 403, A bill to be entitled An act to amend Chapter 428, Section 600, Subsections (1) and (2) of the Public Laws of 1931, relating to the taxation of banks, banking associations and trust companies.

Referred to the Committee on Banks and Banking.

By Mr. Everett: H. B. 404, A bill to be entitled An act repealing certain sections of the Consolidated Statutes, relating to exemptions of foreign stocks, and to hereafter impose taxes upon investments in foreign and domestic stocks upon the same basis.

Referred to the Committee on Finance.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 223, A bill to be entitled An act to amend Section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations.

The bill is placed on the Calendar for concurrence in the Senate Amendment.

S. B. 27, A bill to be entitled An act to amend the Charter of the Town of Oxford, Chapter 302, Private Laws of 1913, as amended.

Referred to the Committee on Judiciary No. 1.

S. B. 38, A bill to be entitled An act to repeal Chapter 423 of the Public Laws of 1931, relative to the election of the County Superintendent of Public Welfare of Iredell County.

Referred to the Committee on Public Welfare.

S. B. 147, A bill to be entitled An act to amend Sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.

Referred to the Committee on Judiciary No. 1.

H. B. 90, A bill to be entitled An act to add Davidson, Anson, Carteret, Cumberland, Davie, Forsyth, Harnett, Hoke, Lee, Moore, and Wayne counties to chapter 273, Public Laws of 1929, relating to the punishment of makers of worthless checks and to amend said law.

The bill is placed on the Calendar for concurrence in the Senate Amendment.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 326, A bill to be entitled An act to repeal chapter 396 of Public-Local Laws of 1931, relating to place of meeting of Board of Education in Currituck County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 348, A bill to be entitled An act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 141, A bill to be entitled An act to amend chapter 116 of the Private Laws of 1915, being An act to amend the Charter of the Town of Selma. Passes its second and third readings, and is ordered Enrolled.

H. B. 101, A bill to be entitled An act to amend chapter 59, Private Laws of North Carolina, Session of 1913, relating to city elections in the City of Raleigh.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 292, A bill to be entitled An act to amend Chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 291, A bill to be entitled An act to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 325, A bill to be entitled An act to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of County Treasurer of Currituck County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Bean, H. R. 400, Joint resolution for the consideration of the North Carolina Legislature, is taken from the Committee on Public Buildings and Grounds and placed on the Calendar.

On motion of Mr. McEachern, the House adjourns, and will meet Monday night at 8:00 o'clock p.m.

# TWENTY-NINTH DAY

House of Representatives, Monday Night, February 6, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. J. Sherwood Upchurch of Wake County, Mr. T. O. Rodwell of Warren County, Judge J. R. Patton

of Durham County, and Mr. E. B. Jeffress of Guilford County, former members of the House.

#### SPECIAL REPORT

Mr. Murphy, appointed under S. R. 84, A Joint Resolution for the appointment of a committee to attend the Inter-State Conference of Legislators at Washington, D. C., on February 3, 1933, on the part of the House to attend the Washington Conference of the American Legislators Association makes his report on the Conference orally, which is accepted on motion of Mr. Everett with the thanks of the House.

### SPECIAL REPORT

Complying with the provisions of H. R. 312, Joint Resolution of the House of Representatives and the Senate requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him seeking to create propaganda against the abolition of our Industrial Commission, T. A. Wilson, Commissioner, files with the House the report required thereunder.

The report is ordered filed in the Principal Clerk's office of the House for inspection by members of the General Assembly and the public, and the Senate is so notified.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Flanagan, for the Committee on Penal Institutions:

H. B. 297, A bill to be entitled An act to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

And.

H. B. 315, A bill to be entitled An act to promote economy by using qualified convict labor in the operation of trucks for road maintenance and in building up and maintaining the shoulders of highways.

And,

S. B. 51, A bill to be entitled An act to amend chapter 145 of Public Laws of 1931 so as to repeal the sixty day minimum term for commitment to district prison camps.

With favorable reports.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 101, A bill to be entitled An act to amend chapter 59, Private Laws of North Carolina, session of 1913, relating to City Elections in the City of Raleigh.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Bowie: H. B. 405, A bill to be entitled An act to revalue all real property in the State of North Carolina for the year 1933 to the end that it may be placed on the tax books at its true value in money.

Referred to the Committee on Finance.

By Mr. Martin: H. B. 406, A bill to be entitled An act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930, and prior years.

Referred to the Committee on Judiciary No. 1.

By Mr. Sullivan: H. B. 407, A bill to be entitled An act to amend section 1608 (u) of the Consolidated Statutes relating to jury trials in the General County Courts.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 408, A bill to be entitled An act to amend section 1608 (cc) of the Consolidated Statutes regulating appeals from the General County Court to the superior Court.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 409, A bill to be entitled An act to amend section 24 d of section 2 of chapter 85, Public Laws of 1924, same being An act to relieve congestion in court docket and provide for the speedy trial of cases.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 410, A bill to be entitled An act to amend chapter 242, Public Laws of 1925 relating to removal of causes from the General County Court.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 411, A bill to be entitled An act requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Howell: H. B. 412, A bill to be entitled An act to amend section 4149 of the Consolidated Statutes of North Carolina relating to the probate of wills.

Referred to the Committee on Judiciary No. 2.

And

H. B. 413, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes of North Carolina relating to execution sales.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 414, A bill to be entitled An act to validate and authorize the sale of lands for taxes by municipalities in Haywood County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cover: H. B. 415, A bill to be entitled An act for the relief of debtors in the State of North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. Ingram: H. B. 416, A bill to be entitled An act making the Register of Deeds of Macon County, North Carolina, Public Accountant for said county.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Taylor of Mecklenburg, Boyd and Garibaldi: H. B. 417, A bill to be entitled An act to provide for a revaluation of lands in Mecklenburg County for taxation purposes.

Referred to the Committee on Finance.

By Mr. Taylor of Mecklenburg: H. B. 418, A bill to be entitled An act to prohibit the institution of an action for the recovery of a deficiency judgment, and to prohibit the entry of a deficiency judgment.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 419, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes of North Carolina, relating to foreclosures.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 420, A bill to be entitled An act to abolish the Corporation Commission and establish the office of Commissioner of Public Utilities.

Referred to the Committee on Reorganization of State Government.

By Messrs. Douglass and Cameron: H. B. 421, A bill to be entitled An act to levy a tax for the privilege of manufacturing cigarettes, cigars, snuff and other tobacco products.

Referred to the Committee on Finance.

By Mr. Douglass: H. B. 422, A bill to be entitled An act to prohibit State officials and employees from engaging in occupations or practicing professions outside of their regular course of employment with the State; and to prohibit State officials from engaging in primary political campaigns except in their own behalf for reëlection; and to prohibit such officials from receiving any campaign contribution, concession, benefit or aid in any political primary campaign or election from any person, firm or corporation whose or which business or any transaction connected with such business comes, directly or indirectly, under the supervision, regulation, control, directly or indirectly, of such State officials, and for other purposes.

Referred to the Committee on Propositions and Grievances,

By Mr. Oaks: H. B. 423, A bill to be entitled An act to provide for the collection of taxes in the Town of Elk Park, Avery County.

Referred to the Committee on Finance.

By Mr. Vann: H. B. 424, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Ahoskie, Hertford County. Referred to the Committee on Finance.

By Mr. Allen (by request): H. B. 425, A bill to be entitled An act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

Referred to the Committee on Judiciary No. 1.

By Mr. Moye: H. B. 426, A bill to be entitled An act to authorize the County Commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

Referred to the Committee on Agriculture.

By Mr. Ewing (request): H. B. 427, A bill to be entitled An act to provide for the examination, certification and licensing of shorthand reporters of all courts of record in the State of North Carolina, and creating a Board of Examiners therefor.

Referred to the Committee on Judiciary No. 1.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 73, A bill to be entitled An act to amend section 1970 of the Consolidated Statutes relating to Sunday fishing in Onslow County.

Referred to the Committee on Commercial Fisheries.

S. B. 74, A bill to be entitled An act relating to terms of Superior Court in Bladen County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 100, A bill to be entitled An act to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work. Referred to the Committee on Judiciary No. 1.

S. B. 142, A bill to be entitled An act to amend Chapter 208 of the Public Laws of 1929, amending section 1443 of Consolidated Statutes, relating to terms of court of Johnston County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 158, A bill to be entitled An act providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County. Referred to the Committee on Health.

S. B. 171, A bill to be entitled An act to provide for a minimum of eight months school term for the City of Charlotte, limiting the tax rate for school purposes, prohibiting school commissioners from borrowing money, and permitting the governing body of Charlotte to borrow and advance money to the school commissioners for school purposes, and authorizing the Mayor to approve the school budget and contracts of school commissioners for the erection of schools.

Referred to the Committee on Judiciary No. 1.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 157, A bill to be entitled An act to amend chapter 336, Public Laws 1931, so as to change the rates for semi-trailers towed by passenger cars. A committee amendment is adopted.

As amended the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 331, A bill to be entitled An act to prevent deception in the storing, selling or offering for sale, any liquid fuels, lubricating oils, greases, or other similar products; to prohibit the sale of such product from any container, tank, pump, or other distributing device other than those of the manufacturer or distributor indicated by the name, trade mark, symbol,

sign, or other distinguishing mark appearing upon said tank, pump, or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark, or markings on any building or equipment of any marketer of liquid fuels and for other purposes.

A committee amendment is adopted.

Passes its second reading, and remains on the Calendar.

Committee substitute for:

H. B. 288, A bill to be entitled An act to require the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

The committee substitute is adopted.

Mr. Randolph offers an amendment, which is adopted.

As amended, the substitute bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the table.

H. B. 90, A bill to be entitled An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws of 1929, relating to the punishment of makers of worthless checks, and to amend the said law.

For concurrence in the Senate amendment.

On motion of Mr. Olive, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 223, A bill to be entitled An act to amend section 6360 of the Consolidated Statutes of 1919, to provide for supervision of certain assessment life insurance associations.

For concurrence in the Senate amendment.

On motion of Mr. Johnson of Chatham the House concurs in the Senate amendment, and the bill is ordered Enrolled.

H. B. 115, A bill to be entitled An act to amend chapter 27, Public Laws 1927, changing the date of motor vehicle registration from December 31, to October 31, beginning in 1934.

An amendment offered by Mr. Gilliam is lost.

An amendment offered by Mr. Johnson of Pender is lost.

The bill fails to pass its second reading.

Committee substitute for:

H. B. 84, A bill to be entitled An act to amend section 1 of chapter 336, Public Laws 1931, providing for the reduction of license fees on automobiles.

A minority report having been attached to the committee substitute bill, the question now recurs upon the adoption of said minority report.

On motion of Mr. Johnson of Chatham, the minority report is adopted. The question now recurs upon the adoption of the committee substitute. The committee substitute is adopted.

Mr. Moss offers an amendment which is adopted.

Mr. Moore offers an amendment which is lost.

Mr. Oaks offers an amendment which is lost.

The question now recurs upon the passage of the substitute bill as amended, on its several readings.

As amended the substitute bill passes its second and third readings and is ordered Engrossed and sent to the Senate.

The original bill is laid on the table.

H. B. 271, A bill to be entitled An act to amend chapter 209 of Public Laws of 1929, so as to exempt busses used exclusively in transporting children and adults to Sunday schools and churches from the payment of license fees.

A committee amendment is lost.

The bill fails to pass its second reading.

H. B. 366, A bill to be entitled An act to regulate the filling of State, county and municipal positions.

Mr. Murphy sends forward an amendment which is adopted.

The bill fails to pass its second reading.

#### ENROLLED BILLS

Mr. Bender, from the Committee on Enrolled Bills, reports the following Bills and Resolutions properly Enrolled, and they are duly ratified and sent to the office of Secretary of State.

- S. B. 66, An act to amend chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies.
- S. R. 165, Joint resolution concerning former Lieutenant-Governor Richard Tillman Fountain.
  - H. B. 55, An act regulating the hours of work for women.
- H. B. 78, An act to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.
- H. B. 235, An act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Duplin, Graham and Martin counties to lay off homesteads.
- H. B. 276, An act to repeal chapter 357 of the Public-Local Laws of 1927, relating to the Jury Commission of Transylvania County and providing that non-payment of taxes shall not prevent service of jury in said county.
- H. R. 312, Joint resolution of the House of Representatives and the Senate requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him seeking to create propaganda against the abolition of our Industrial Commission.
- S. B. 141, An act to amend Chapter 116 of the Private Laws of 1915, being An act to amend the Charter of the Town of Selma.

On motion of Mr. McEachern the House adjourns in honor of the Gentleman from Robeson, Mr. Graham, who celebrated his forty-second birthday yesterday, and will meet tomorrow at 11 o'clock a.m.

### THIRTIETH DAY

House of Representatives, Tuesday, February 7, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Theodore Partrick of the City of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Leave of absence is granted to Mr. Ruark of Brunswick County, indefinitely, on account of sickness.

The courtesies of the floor are extended to Mr. Hilliary Matthews of Bertie County, former Member of the House.

#### PETITIONS AND MEMORIALS

Petitions and memorials are presented, read and referred to the appropriate committees.

On motion of Mr. Murphy, Eddie Cantor is invited to address the House, and the Gentleman from Mecklenburg, Mr. Garibaldi, the Gentleman from McDowell, Mr. Neal, and the Gentleman from Forsyth, Mr. Cox, are appointed as a committee, together with the Sergeant-at-Arms, of the House to extend the invitation and escort Mr. Cantor to the House, if accepted, and in such event, on motion of Mr. Lumpkin, the Senate will be invited.

The Committee, subsequently, reports the inability of Mr. Cantor to accept the invitation.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

S. B. 77, A bill to be entitled An act to provide for the appointment of guardians of the estate under certain conditions.

And.

H. B. 388, A bill to be entitled An act to establish for the City of Charlotte the Charlotte Firemen's Retirement Fund Association.

And.

H. B. 310, A bill to be entitled An act to repeal sections 1786, 1787, and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt Statutes," and to substitute in lieu thereof a new statute.

And.

H. B. 302, A bill to be entitled An act to amend Section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

With favorable reports.

And.

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

With unfavorable report as to bill; favorable as to substitute.

And,

S. B. 171, A bill to be entitled An act to provide for a minimum of eight months' school term for the City of Charlotte, limiting the tax rate for school purposes, prohibiting School Commissioners from borrowing money, and permitting the governing body of Charlotte to borrow and advance

money to the School Commissioners for school purposes, and authorizing the Mayor to approve the school budget and contracts of School Commissioners for the erection of schools.

With an unfavorable report as to the Senate bill; favorable report as to Committee substitute.

On motion of Mr. Boyd, the bill and substitute are recommitted to the Committee on Judiciary No. 1.

And,

H. B. 239, A bill to be entitled An act to repeal chapter 342 of the Private Laws of North Carolina, Session of 1907, providing a Charter for the City of Charlotte, and the several Acts amendatory thereof or supplementary thereto, and to divide said City into wards.

With unfavorable report.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 376, A bill to be entitled An act to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the Recorder's Court of Monroe and Union counties.

With a favorable report.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

Substitute for:

H. B. 84, A bill to be entitled An act to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

H. B. 157, A bill to be entitled An act to amend chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars.

Committee Substitute for:

H. B. 288, A bill to be entitled An act to require the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mrs. Mebane: H. B. 428, A bill to be entitled An act to fill two vacancies on the Board of Leaksville Township Railroad Trustees.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Martin: H. B. 429, A bill to be entitled An act to amend section 437, sub-section 2 of the Consolidated Statutes, relating to actions for personal judgments against makers of notes or bonds for the purchase money of lands.

Referred to the Committee on Judiciary No. 1.

By Mr. Beasley: H. B. 430, A bill to be entitled An act to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

Referred to the Committee on Courts and Judicial Districts.

And,

H. B. 431, A bill to be entitled An act to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Beasley and Thompson of Robeson: H. B. 432, A bill to be entitled An act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

Referred to the Committee on Penal Institutions,

By Mr. Morphew: H. B. 433, A bill to be entitled An act relating to election of the County Superintendent of Public Welfare in Graham County.

Referred to the Committee on Public Welfare.

By Mr. Morphew, by request: H. B. 434, A bill to be entitled An act making the requesting or soliciting by any person who is summoned or called as a juror a cause of challenge.

Referred to the Committee on Judiciary No. 2.

By Mr. Morphew: H. B. 435, A bill to be entitled An act relating to hunting wild-hogs, raccoon and opossum in Graham County.

Referred to the Committee on Game.

By Mr. Randolph: H. B. 436, A bill to be entitled An act to amend chapter 64, Public Laws of 1929, and for the relief of J. H. Harwood.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 437, A bill to be entitled An act to amend chapter 466 of the Public-Local Laws of North Carolina, session 1929, relating to pool rooms.

Referred to the Committee on Propositions and Grievances.

By Mr. Olive: H. B. 438, A bill to be entitled An act to provide for the mortgage or sale of estates held by the entireties where the wife or the husband or both may become mentally incompetent.

Referred to the Committee on Judiciary No. 1.

By Mr. Gardner: H. B. 439, A bill to be entitled An act to amend chapter 281 of the Public Laws of 1931 so as to prevent the Clerk of Superior Court from loaning trust funds.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 440, A bill to be entitled An act to abolish the office of Game Warden for Cleveland County, and to exempt residents from payment of hunting license in said County.

Referred to the Committee on Game.

By Messrs. Everett and Brawley: H. B. 441, A bill to be entitled An act to amend the Charter of the City of Durham so as to extend the corporate limits of said City.

Referred to the Committee on Counties, Cities and Towns.

By M

By Mr. Moye: H. B. 442, A bill to be entitled An act to extend the time for the institution of suits on tax certificates for the Town of Snow Hill, North Carolina.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 443, A bill to be entitled An act to authorize the Commissioners of Greene County to appoint a Tax Collector and fix his compensation.

Referred to the Committee on Salaries and Fees.

By Messrs. Berryman, Brown, Culpepper, Stevens, Taylor of Currituck, Etheridge, Gatling, Vann, Edwards, Spruill and Sullivan: H. B. 444, A bill to be entitled An act to facilitate and expedite the discontinuance of the collection of tolls for the use of the bridge across the lower Chowan River between the Counties of Chowan and Bertie.

Referred to the Committee on Roads.

By Mr. Brock: H. B. 445, A bill to be entitled An act to permit hunting and fishing in Davie County without license.

Referred to the Committee on Game.

By Mr. Doughton of Alleghany: H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

Referred to the Committee on Finance.

By Mr. Stevens: H. B. 447, A bill to be entitled An act to fix the salary of the Recorder of the Recorder's Court of Camden County.

Referred to the Committee on Salaries and Fees.

By Mr. Cowles: H. B. 448, A bill to be entitled An act to amend section 1608 of Volume III of the Consolidated Statutes, bringing the County of Wilkes within the provisions of the General Recorder's Court Acts.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Thompson of Beaufort: H. B. 449, A bill to be entitled An act to fix fees for recording agriculture liens in Beaufort County.

Referred to the Committee on Salaries and Fees.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 178, A bill to be entitled An act to amend chapter 299 of Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.

Referred to the Committee on Agriculture.

S. B. 182, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Randolph County from the Absentee Voters Law.

Referred to the Committee on Election Laws.

S. B. 127, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

Referred to the Committee on Finance.

S. B. 152, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

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Referred to the Committee on Finance.

S. B. 173. A bill to be entitled An act to amend chapter 86 of the Public-Local Laws of 1931, reducing the salaries of the Sheriff, the Register of Deeds and the Clerk of the Superior Court of Mecklenburg County, and fixing the salaries of the Jailer and Deputy Sheriffs, and amending chapter 236 of the Public-Local Laws of 1931, reducing the salary of the Chairman of the Board of County Commissioners of Mecklenburg County.

Referred to the Committee on Judiciary No. 1.

S. B. 175, A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

Referred to the Committee on Judiciary No. 1.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 331, A bill to be entitled An act to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump, or other distributing device other than those of the manufacturer or distributor indicated by the name, trademark, symbol, sign, or other distinguishing mark appearing upon said tank, pump, or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trademark, or markings, on any building or equipment of any marketer of liquid fuels; and for other purposes.

Mr. Taylor of Mecklenburg offers an amendment which is lost.

A Committee amendment having been adopted, at yesterday's session, the question now recurs upon the passage of the bill, as amended, on its third reading.

As amended, the bill passes third reading, and is ordered Engrossed and sent to the Senate.

H. B. 297, A bill to be entitled An act to provide for the apprehension and return of persons escaping from penal and correctional institutions of the

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 85, A bill to be entitled An act to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law. A Committee amendment is adopted.

Several amendments are offered by Members, all of which are lost.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 315, A bill to be entitled An act to promote economy by using qualified convict labor in the operation of trucks for road maintenance and in building up and maintaining the shoulders of highways.

Mr. Morphew offers an amendment which is lost.

The bill passes its second reading, and remains on the Calendar.

H. B. 380, A bill to be entitled An act to shorten time for payment of gasoline tax; to regulate transportation by trucks and boats; provide for regular audit of accounts and to further safeguard payment and prevent evasion.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. R. 400. Joint resolution for the consideration of the North Carolina Legislature.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 51, A bill to be entitled An act to amend chapter 145 of Public Laws of 1931, so as to repeal the sixty-day minimum term for commitment to district prison camps.

Passes its second and third readings, and is ordered Enrolled.

S. B. 55, A bill to be entitled An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

Passes its second and third readings, and is ordered Enrolled.

Mr. Johnson of Chatham makes a motion that H. B. 223, A bill to be entitled An act to amend section 6360 of the Consolidated Statutes of 1919, to provide for supervision of certain assessment life insurance associations, be recalled from the Enrolling Office for further consideration by the House.

The motion fails of adoption.

On motion of Mr. Aycock of Wake, the House adjourns, and will meet tomorrow at eleven o'clock.

# THIRTY-FIRST DAY

House of Representatives, Wednesday, February 8, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Forrest Feezor, of the City of Raleigh.

Mr. Gatling, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Wilbur Dosher, of New Hanover County, Mr. N. E. Day, of Onslow County, Mr. John C. McBee of Mitchell County, former Members of the House, and Lee L. Gravely of Nash County, former Member of the Senate.

## COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2: H. B. 439, A bill to be entitled An act to amend chapter 281 of the Public Laws of 1931, so as to prevent Clerk of the Superior Court from loaning trust funds. And.

H. B. 337, A bill to be entitled An act amending chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

And.

H. B. 259, A bill to be entitled An act to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

And.

H. B. 412, A bill to be entitled An act to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills.

And

S. B. 162, A bill to be entitled An act to validate the acts of A. L. Woolard performed by him as Justice of the Peace since April Seven, 1931 and to appoint said A. L. Woolard a Justice of the Peace for Carolina Township, Pitt County.

With favorable reports.

And.

H. B. 338, A bill to be entitled An act amending chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro. And,

H. B. 413, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes of North Carolina, relating to execution sales.

And,

H. B. 118, A bill to be entitled An act to amend section 1275 of the Consolidated Statutes of North Carolina, relative to only two witnesses for a single fact.

With unfavorable reports.

By Mrs. Mebane, for the Committee on Public Welfare:

S. B. 38, A bill to be entitled An act to repeal chapter 423 of the Public Laws of 1931, relative to the election of the County Superintendent of Public Welfare of Iredell County.

With a favorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 393, A bill to be entitled An act to repeal chapter 229, Public-Local Laws, Session of 1931, authorizing the Board of County Commissioners of Columbus County to appoint rural policemen for Columbus County.

And.

H. B. 416, A bill to be entitled An act making the Register of Deeds of Macon County, North Carolina, Public Accountant for said county.

And.

H. B. 392, A bill to be entitled An act to authorize the City of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the City of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.

And,

H. B. 414, A bill to be entitled An act to validate and authorize the sale of land for taxes by municipalities in Haywood County.

With favorable reports.

By Mr. O'Berry, for the Committee on Finance:

H. B. 350, A bill to be entitled An act to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents.

The Committee recommends that the bill be recommitted to the Committee on Judiciary No. 2.

It is so ordered.

And.

H. B. 371, A bill to be entitled An act to provide further economy in collection of delinquent taxes in Brunswick County.

And.

H. B. 423, A bill to be entitled An act to provide for the collection of taxes in the Town of Elk Park, Avery County.

And.

H. B. 424, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Ahoskie, Hertford County.

And

S. B. 71, A bill to be entitled An act to amend chapter 338, section, 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor.

And,

S. B. 152, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

With favorable reports.

And

H. B. 250, A bill to be entitled An act providing for liens on personal property in certain cases.

And,

H. B. 260, A bill to be entitled An act to authorize counties, cities and towns to impose a license or privilege tax on telephone companies.

With unfavorable reports.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 328, A bill to be entitled An act to amend certain sections of article 4, chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State.

With an unfavorable report as to bill; favorable as to committee substitute. And,

S. B. 73, A bill to be entitled An act to amend Section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County.

With a favorable report.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 375, A bill to be entitled An act to increase the number of highway commissioners from six to eight.

And.

H. B. 127, A bill to be entitled An act to abolish or consolidate certain State commissions, bureaus or agencies as an economy measure.

And.

. H. B. 102, A bill to be entitled An act to amend chapter 60, Public Laws 1931, providing for the discontinuance of the office of Director of Local Government and placing the duties of said office under the State Treasurer.

And.

H. B. 197, A bill to be entitled An act to declare Senators and Representatives ineligible for any State office which was created or the emoluments of which were increased during the time for which they were elected.

With unfavorable reports.

# ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 331, A bill to be entitled An act to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump, or other distributing device other than those of the manufacturer or distributor indicated by the name, trade mark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Womble: H. B. 450, A bill to be entitled An act to amend section 3315 of the Consolidated Statutes of North Carolina, relating to the recordation of deeds of gift.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 451, A bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to collection of water rents.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 452, A bill to be entitled An act to amend Section 441, sub-section 9, of the Consolidated Statutes of North Carolina, relating to the running of Statute of Limitations in certain cases.

Referred to the Committee on Judiciary No. 2.

By Messrs. Graham, and Thompson of Robeson: H. B. 453, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in Robeson County, State of North Carolina, and to permit the taxpayers to redeem all land sold for taxes for said years which was bid in by the county, and to provide for an extension of time for the payment of said delinquent taxes.

Referred to the Committee on Finance.

By Mr. Gardner: H. B. 454, A bill to be entitled An act to amend section ninety-three of the Consolidated Statutes relating to the order in which debts of a decedent are to be paid.

Referred to the Committee on Judiciary No. 2.

By Mr. Spruill: H. B. 455, A bill to be entitled An act directing the Treasurer of the State and the State Highway Commission to take over and pay certain road bonds of the County of Bertie now outstanding, and to relieve the tax-payers of said county of the burden thereof.

Referred to the Committee on Roads.

And.

H. B. 456, A bill to be entitled An act directing the State Treasurer and North Carolina Highway Commission to pay each of the counties of the State out of the funds appropriated and collected for highway construction in said State and the State Treasurer and the Prison authorities of the State Penitentiary and State Farm shall pay each to each county in the State the sum of five dollars per month for each convict sentenced to work on said road or farms, or to the imprisonment in the State's Prison and who worked at labor outside of said prison.

Referred to the Committee on Roads.

By Mr. Turner of Guilford: H. B. 457, A bill to be entitled An act to amend section 5034 of the Consolidated Statutes as amended by chapter 74, Public Laws, Extra Session 1924, requiring children under sixteen to complete the sixth grade in school before leaving to go to work.

Referred to the Committee on Education.

By Mr. Stevens: H. B. 458, A bill to be entitled An act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the Board of Education of Camden County.

Referred to the Committee on Education.

By Mr. Ingram: H. B. 459, A bill to be entitled An act to authorize the Commissioners of the County of Macon to refund the bonded indebtedness of said county on a basis of the ability of the taxpayers to pay said bonded indebtedness.

Referred to the Committee on Finance.

And,

H. B. 460, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Macon County.

Referred to the Committee on Finance.

And.

H. B. 461, A bill to be entitled An act to fix the compensation of the members of the Board of County Commissioners of Macon County.

Referred to the Committee on Salaries and Fees.

By Mr. Ray: H. B. 462, A bill to be entitled An act to provide compensation to the members of the Board of Commissioners of the City of Hendersonville for their services.

Referred to the Committee on Salaries and Fees.

By Messrs. Boswell, Woodall, Taylor of Halifax, Aycock of Wayne, and Eagles: H. R. 463, Joint resolution requesting the Senators and Representa-

tives in Congress from North Carolina to secure the enactment of a tariff on jute products.

Referred to the Committee on Federal Relations.

And,

H. B. 464, A bill to be entitled An act requiring cotton and certain other agricultural products to be baled in cotton bags.

Referred to the Committee on Agriculture.

By Mr. Bender: H. B. 465, A bill to be entitled An act to appoint a member of the Board of Education of Jones County to fill vacancy caused by resignation of George Hughes to become Clerk of the Superior Court.

Referred to the Committee on Education.

By Mr. Galloway: H. B. 466, A bill to be entitled An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said town in payment of special assessments.

Referred to the Committee on Finance.

And.

H. B. 467, A bill to be entitled An act to allow the Board of Aldermen of the Town of Brevard to extend the time for payment of street assessments in said town.

Referred to the Committee on Finance.

And.

H. B. 468, A bill to be entitled An act to authorize the Tax Collector of the Town of Brevard to receive bonds or notes of said town in payment of debt service portion of current or delinquent taxes.

Referred to the Committee on Finance.

By Messrs. Pope and Massenburg: H. B. 469, A bill to be entitled An act to amend and rewrite certain sections of chapter 97, Consolidated Statutes and of other Acts amendatory of, and supplemental thereto, relating to the laws governing primaries and elections.

Referred to the Committee on Election Laws.

By Mr. Pope: H. B. 470, A bill to be entitled An act to provide for the payment of municipal street assessment installments in the Town of Enfield.

Referred to the Committee on Finance.

And,

H. B. 471, A bill to be entitled An act to relieve church property in the Town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters.

Referred to the Committee on Counties, Cities and Towns.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 159, A bill to be entitled An act to authorize the issuance and sale of \$110,000.00, refunding bonds of the County of Wayne to validate the issuance and sale of \$65,000.00 Wayne County school refunding bonds.

Referred to the Committee on Finance.

S. B. 186, A bill to be entitled An act to permit an extension on all loans to war veterans under the World War Veterans' Loan Act.

Referred to the Committee on Finance.

S. B. 78, A bill to be entitled An act to provide for free privilege license for the blind to transact business in this State.

Referred to the Committee on Finance.

S. B. 105, A bill to be entitled An act to regulate the practice of cosmetic art in the State of North Carolina.

Referred to the Committee on Judiciary No. 2.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 249, A bill to be entitled An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina.

As amended, the bill passes its second reading by the following vote, and takes its place on the Calendar.

Those voting in the affirmative are:

Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-114.

Those voting in the negative are: none.

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

On motion of Mr. Moss, the original bill and substitute are recommitted to the Committee on Judiciary No. 1.

H. B. 376, A bill to be entitled An act to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the Recorder's Court of Monroe and Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 388, A bill to be entitled An act to establish for the City of Charlotte, the Charlotte Firemen's Retirement Fund Association.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 315, A bill to be entitled An act to promote economy by using qualified convict labor in the operation of trucks for road maintenance and in building up and maintaining the shoulders of highways.

Mr. Massenburg offers an amendment which is adopted.

On motion of Mr. Flanagan, the bill, as amended, is recommitted to the Committee on Roads.

S. B. 77, A bill to be entitled An act to provide for the appointment of guardians of the estate under certain conditions.

Passes its second and third readings, and is ordered Enrolled.

H. B. 337, A bill to be entitled An act amending chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 302, A bill to be entitled An act to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 310, A bill to be entitled An act to repeal sections 1786, 1787, and 1788 of the Consolidated Statutes of North Carolina, known as Book Debt Statutes, and to substitute in lieu thereof a new Statute.

On motion of Mr. Hamilton, the bill is recommitted to the Committee on Judiciary No. 1.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 49. An act relating to the appointment of receivers for building and loan associations.

S. B. 51. An act to amend chapter 145 of the Public Laws of 1931, so as to repeal the sixty day minimum term for commitment to district prison camps.

S. B. 55. An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

S. B. 101. An act to validate the official acts of George W. Hardison, a notary public of Washington County.

H. B. 24. An act relating to, and limiting, leasing of oyster beds in Hyde County.

H. B. 72. An act to prohibit the taking of Shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender, and Onslow counties.

H. B. 90. An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law.

H. B. 159. An act to repeal chapter 430 of the Public-Local Laws of 1931, relating to tax commission in Yancey County.

H. B. 178. An act to provide for the better collection of dog and poll taxes in Currituck County.

H. B. 182. An act to limit the liability of Cleveland County for court costs.

H. B. 193. An act to amend chapter 88, Private Laws of 1923, reënacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the Town of Gatesville.

H. B. 195. An act to amend chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County.

H. B. 200. An Act prohibiting the leasing, or granting, of oyster beds or oyster lands in Pamlico County.

H. B. 210. An act to amend section 1443 of the Consolidated Statutes, relating to the terms of court for Caswell County and Rockingham County.

H. B. 227. An act to amend chapter 279, Public-Local Laws of 1929, relative to the collection of taxes in Transylvania County.

On motion of Mr. Wilson, the House adjourns, and will meet tomorrow at 11:00 o'clock a.m.

## THIRTY-SECOND DAY

House of Representatives, Thursday, February 9, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. F. Pittman of Ayden, North Carolina.

Mr. Rouse, for the Committee on the Journal, reports that the Journal of yesterday has been examined, and found correct, and the same stands approved.

Leave of absence is granted to Mr. Ruark, indefinitely, on account of sickness. The courtesies of the floor are extended to Mr. W. S. Privett, of Chowan County, former Member of the House.

### PETITIONS AND MEMORIALS

Petitions and memorials are presented, read, and referred to appropriate Committees.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Allen, for the Committee on Salaries and fees:

H. B. 461, A bill to be entitled An act to fix the compensation of the members of the Board of County Commissioners of Macon County.

And.

H. B. 443, A bill to be entitled An act to authorize the commissioner of Greene County to appoint tax collector and fix his compensation.

And.

H. B. 447, A bill to be entitled An act to fix the salary of the Recorder of Recorder's Court of Camden County.

And.

H. B. 462, A bill to be entitled An act to provide compensation to the members of the Board of Commissioners of the City of Hendersonville for their services.

With favorable reports.

And,

H. B. 111, A bill to be entitled An act to regulate the salaries of solicitors, and to repeal section 3890 and 3890 (a) of the Consolidated Statutes.

With an unfavorable report.

By Mr. Graham, for the Committee on Education:

H. B. 458, A bill to be entitled An act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the Board of Education of Camden County.

And,

H. B. 465, A bill to be entitled An act to appoint a member of the Board of Education of Jones County to fill vacancy caused by resignation of George Hughes to become Clerk Superior Court.

And.

S. B. 35, A bill to be entitled An act to amend section 12½ of chapter 430, Public Laws 1931, relating to summer school requirements for teachers.

H. B. 80, A bill to be entitled An act to amend chapter 278 of the Public Laws of 1931, relating to the number of members of the Board of Education of Wilkes County.

And.

H. B. 344, A bill to be entitled An act to fix the number and term of officers of the Board of Education for the County of Ashe, and to define their duties. With favorable reports.

And

H. B. 264, A bill to be entitled An act to suspend all laws and rules and regulations requiring teachers in the public schools of North Carolina to attend summer school.

With an unfavorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 311, A bill to be entitled An act to amend chapter 86 of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates.

And.

H. B. 301, A bill to be entitled An act to amend section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said action.

And.

H. B. 442, A bill to be entitled An act to extend the time for the institution of suits on tax certificates for the Town of Snow Hill, North Carolina.

With favorable reports.

And.

H. B. 356, A bill to be entitled An act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

Bill reported without prejudice.

And,

H. B. 103, A bill to be entitled An act for the relief of judgment debtors, mortgagors and debtors by reason of deed of trust.

And.

H. B. 418, A bill to be entitled An act to prohibit the institution of an action for the recovery of a deficiency judgment, and to prohibit the entry of a deficiency judgment.

And

H. B. 415, A bill to be entitled An act for the relief of debtors in the State of North Carolina.

And,

H. B. 281, A bill to be entitled An act to correct the gross abuse of deficiency judgments.

With unfavorable reports.

By Mr. Cherry, for the Committee on Roads:

H. B. 369, A bill to be entitled An act to adjust the differences between Lenoir County and the State Highway Commission.

The Committee recommends that the bill be recommitted to the Committee on Appropriations.

It is so ordered.

By Mr. O'Berry, for the Committee on Finance:

H. B. 99, A bill to be entitled An act to amend section 1, chapter 336, Public Laws 1931, reducing the rate of registration fee for automobiles fifty per cent. And.

H. B. 391, a bill to be entitled An act to tax persons, firms, and corporations engaged in the business of buying and/or selling stocks, bonds, cotton, grain, provisions and other commodities.

And,

H. B. 207, A bill to be entitled An act to validate the action of the Commissioners of the Town of Jackson, Northampton County, in postponing the sale of land for taxes for the years 1930 and 1931.

With unfavorable reports.

And.

S. B. 78, A bill to be entitled An act to provide for free privilege license for the blind to transact business in this State.

And.

H. B. 468, A bill to be entitled An act to authorize the tax collector of the Town of Brevard to receive bonds or notes of said town in payment of debt service portion of current or delinquent taxes.

And,

H. B. 466, A bill to be entitled An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said town in payment of special assessments.

And,

S. B. 159, A bill to be entitled An act to authorize the issuance and sale of \$110,000.00 refunding bonds of the County of Wayne, to validate the issuance and sale of \$65,000.00 Wayne County school refunding bonds.

And,

H. B. 467, A bill to be entitled An act to allow the Board of Aldermen of the Town of Brevard to extend the time for payment of street assessments in said town.

And.

S. B. 186, A bill to be entitled An act to permit an extension on all loans to war veterans under the World War Veterans' Loan Act.

With favorable reports.

And.

H. B. 339, A bill to be entitled An act for the relief of Cos Paxton, Ex-Sheriff and Tax Collector for Transylvania County.

The Committee recommends that the bill be recommitted to the Committee on Appropriations.

It is so ordered.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mrs. Mebane: H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

Referred to the Committee on Conservation and Development.

By Mr. Graham: H. B. 473, A bill to be entitled An act to regulate the departmental service, office hours, leaves of absence and extra compensation.

Referred to the Committee on Reorganization of State Government.

By Mr. Woodall: H. B. 474, A bill to be entitled An act to abolish and cancel cost and penalties and all other charges incurred or charged against delinquent taxpayers of Johnston County, North Carolina, and to permit the taxpayers to redeem all land sold for taxes which was bid in by the County, and to provide for an extension of time for payment thereof.

Referred to the Committee on Judiciary No. 2.

By Mr. Womble: H. B. 475, A bill to be entitled An act to prohibit State institutions from engaging in the retail business.

Referred to the Committee on Propositions and Grievances.

By Mr. Garibaldi: H. B. 476, A bill to be entitled An act to amend chapter 86, Public-Local Laws of North Carolina, Session of 1931, relating to salaries of officers of Mecklenburg County, and to abolish the office of Treasurer of Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Dowtin: H. B. 477, A bill to be entitled An act to amend section 3401 of the Consolidated Statutes, as amended, so as to reduce the fee paid for capturing stills in Warren County.

Referred to the Committee on Propositions and Grievances.

And,

H. B. 478, A bill to be entitled An act to amend Chapter 97 of the Public Laws of 1929, in regard to premiums on officials' bonds in Warren County. Referred to the Committee on Judiciary No. 2.

By Mr. Haynes: H. B. 479, A bill to be entitled An act to amend chapter 273 of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Froneberger: H. B. 480, A bill to be entitled An act relating to official bonds of public officers in Gaston County.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 481, A bill to be entitled An act to amend the charter of the City of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort.

Referred to the Committee on Judiciary No. 2.

By Messrs. Taylor of Mecklenburg, and Boyd: H. B. 482, A bill to be entitled An act to prohibit criminal syndicalism and sabotage, and provide a punishment for the commission thereof.

Referred to the Committee on Judiciary No. 1.

By Mr. Spruill: H. B. 483, A bill to be entitled An act relating to the salaries of the officers of Bertie County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 484, A bill to be entitled An act relating to collection of taxes and tax penalties in Bertie County, and abolishing tax penalties in said county. Referred to the Committee on Finance.

By Messrs. Culpepper and Berryman: H. B. 485, A bill to be entitled An act to amend chapter 442, Public-Local Laws 1931, relative to issuance and filing of pleadings in claim and delivery actions.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Griffin: H. B. 486, A bill to be entitled An act to repeal chapter 109, Public-Local Laws of 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of Clerk Superior Court, Register of Deeds and Treasurer of said county.

Referred to the Committee on Salaries and Fees.

And.

H. B. 487, A bill to be entitled An act to amend chapter 111, Public-Local Laws of 1929, relative to Tax Collector of Rutherford County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Dees: H. B. 488, A bill to be entitled An act to amend chapter 51 of the Public Laws of North Carolina of 1927, repealing the resident license

required to hunt game in Pamlico County, North Carolina, and fix the date for hunting squirrels in said county.

Referred to the Committee on Game.

By Mr. Ledford: H. B. 489, A bill to be entitled An act to repeal the Absentee Ballot Law of Clay County, North Carolina.

Referred to the Committee on Election Laws.

By Mr. Lumpkin: H. B. 490, A bill to be entitled An act to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.

Referred to the Committee on Propositions and Grievances.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following hills and resolutions which are read the first time and disposed of as follows:

S. B. 189, A bill to be entitled An act fixing the salaries and certain procedure with respect to the Recorder's Court of Rutherford County, and appointment of Recorder and election of Solicitor.

On motion of Mr. Griffin, the rules are suspended and the bill is placed on its immediate passage.

Passes second and third readings, and is ordered Enrolled.

S. B. 193, A bill to be entitled An act to empower the Board of Commissioners of Burke County to reduce the salaries of county officers.

Referred to the Committee on Salaries and Fees.

Substitute for:

H. B. 63, A bill to be entitled An act to place the Sheriff and Tax Collector of the County of Swain upon a commission basis and to place the Chairman of the Board of County Commissioners of the County of Swain upon a per diem.

Placed on the Calendar for concurrence in the Senate Substitute.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 259, A bill to be entitled An act to amend section 2623 of the Consolidated Statutes relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 371, A bill to be entitled An act to provide further economy in collection of delinquent taxes in Brunswick County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 392, A bill to be entitled An act to authorize the City of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the City of Hendersonville to construct and build a golf course, or to lease said land for that purpose to others, in its discretion.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 393, A bill to be entitled An act to repeal chapter 229, Public-Local Laws, Session 1931, authorizing the Board of County Commissioners of Columbus County to appoint rural policemen for Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 414, A bill to be entitled An act to validate and authorize the sale of land for taxes by municipalities in Haywood County.

The bill, as amended, passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 416, A bill to be entitled An act making the Register of Deeds of Macon County, North Carolina, public accountant for said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 423, A bill to be entitled An act to provide for the collection of taxes in the Town of Elk Park, Avery County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 424, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Ahoskie, Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 328, A bill to be entitled An act to amend certain sections of article 4, chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State.

The Committee Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 412, A bill to be entitled An act to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 439, A bill to be entitled An act to amend chapter 281 of the Public Laws of 1931, so as to prevent Clerk of the Superior Court from loaning trust funds.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 38, A bill to be entitled An act to repeal chapter 423 of the Public Laws of 1931, relative to the election of the County Superintendent of Public Welfare of Iredell County.

On motion of Mr. Turner of Iredell, the bill is laid on the Table.

S. B. 71, A bill to be entitled An act to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor.

Passes its second and third readings, and is ordered Enrolled.

S. B. 152, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

Passes its second reading, and remains on the Calendar.

S. B. 73, A bill to be entitled An act to amend section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 162, A bill to be entitled An act to validate the acts of A. L. Woolard performed by him as Justice of the Peace since April 7, 1931, and to appoint said A. L. Woolard a Justice of the Peace for Carolina Township, Pitt County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 249, A bill to be entitled An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—104.

Those voting in the negative are: none.

Mr. Bowie moves that H. B. 256, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in all counties in North Carolina, and to permit the taxpayers to redeem all land sold for taxes for said years which was bid in by the county, and to provide for an extension of time for the payment of said delinquent taxes, be recalled from the Committee on Finance, and placed on the Calendar.

On this motion, Mr. Murphy calls for the "ayes" and "noes." The call is sustained and the motion to recall the bill is lost by the following vote.

Those voting in the affirmative are: Messrs. Bean, Bender, Bowie, Brock, Brown, Cover, Cowles, Davis, Dees, Eaton, Everett, Galloway, Gardner, Garibaldi, Grant, Haynes, Howell, Ingram, Ledford, Murphy, Oaks, Scarborough, Tompkins, Turner of Iredell—24.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Beasley, Berryman, Binford, Boswell, Boyd, Braddy, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Doughton of Alleghany, Dowtin of Warren, Eagles, Edwards, English, Etheridge, Froneberger, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Greer, Griffin, Groves, Hamilton, Hoyle, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace,

Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, McEachern, McLauchlin, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodfin and Young—81.

On motion of Mr. Morphew, H. B. 414, a bill to be entitled An act to validate and authorize the sale of lands for taxes by municipalities in Haywood County, is recalled from the Engrossing Office, and placed on the Calendar for further consideration by the House.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 90, An act to amend chapter 277 of the Laws of 1931, section 2, and abolishing the office of Director of Personnel and transferring the duties and functions of said office to the Budget Bureau.

H. R. 81, Joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

H. B. 105, An act to amend chapter 463 of the Public-Local Laws, 1931, relating to the salary of the auditor of Cleveland County.

H. B. 223, An act to amend section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations.

H. B. 278, An act to amend section 3907 of the Consolidated Statutes of 1919, relating to fees of register of deeds in Scotland County.

S. B. 77, An act to provide for the appointment of guardians of the estate under certain conditions.

On motion of Mr. McEachern, the House adjourns and will meet tomorrow at 12:00 o'clock a.m.

## THIRTY-THIRD DAY

House of Representatives, Friday, February 10, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. S. M. Schleifer of Raleigh.

Mr. Thomas, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. S. J. Ervin, Jr., of Burke County, former member of the House.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows: By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 478, A bill to be entitled An act to amend chapter 97 of the Public Laws 1929, in regard to premiums on officials' bonds in Warren County.

With a favorable report, as amended.

And,

H. B. 481, A bill to be entitled An act to amend the Charter of the City of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort.

And.

H. B. 454, A bill to be entitled An act to amend section 93 of the Consolidated Statutes, relating to the order in which debts of a decedent are to be paid.

And.

H. B. 451, A bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to collection of water rents.

H. B. 452, A bill to be entitled An act to amend section 441, sub-section 9 of the Consolidated Statutes of North Carolina, relating to the running of Statute of Limitations in certain cases.

With favorable reports.

And.

H. B. 474, A bill to be entitled An act to abolish and cancel cost and penalties or other charges incurred or charged against delinquent taxpayers of Johnston County, North Carolina, and to permit the taxpayers to redeem all land sold for taxes which was bid in by the County and to provide for an extension of time for payment thereof.

The Committee recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

By Mr. O'Berry, for the Committee on Finance:

H. B. 140, A bill to be entitled An act to repeal chapter 175 of the Public-Local Laws of 1931, relative to Jury and Tax Commissions in Madison County, and chapter 183 of the Public-Local Laws of 1931, providing a Sinking Fund Commission in Madison County.

With an unfavorable report, with Minority report attached.

By Mr. Davis, for the Committee on Drainage:

H. B. 238, A bill to be entitled An act to amend or repeal a portion of chapter 538, Public-Local Laws of 1911, and chapter 369, Public-Local Laws of 1915, chapter 493, Public-Local Laws of 1917, relating to drainage in Mecklenburg County.

With a favorable report.

By Mrs. Mebane, for the Committee on Public Welfare:

H. B. 107, A bill to be entitled An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

With a favorable report, as amended.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 487, A bill to be entitled An act to amend chapter 111, Public-Local Laws of 1929, relative to Tax Collector of Rutherford County.

And.

H. B. 471, A bill to be entitled An act to relieve church property in the Town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters.

With favorable reports.

And,

H. B. 385, A bill to be entitled An act to amend chapter 121, Private Laws, 1931, being "An Act to incorporate the City of Asheville; to define its limits; to provide for its government, and for other purposes."

With unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Allen, for the Committee on Salaries and Fees:

House Committee substitute for:

S. B. 97, A bill to be entitled An act to amend section 3890 of the Consolidated Statutes of North Carolina, and reducing the salaries of Solicitors of the Superior Court.

With unfavorable report as to Senate Bill; with a favorable report as to the House Committee Substitute.

By Mr. McEachern, for the Committee on Agriculture:

H. B. 426, A bill to be entitled An act to authorize the County Commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

With a favorable report, as amended.

And.

H. B. 377, A bill to be entitled An act to amend chapter 170, Laws of 1921, relating to standard weight packages of hominy and grits.

With a favorable report.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 249, A bill to be entitled An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina.

H. B. 439, A bill to be entitled An act to amend chapter 281 of the Public Laws of 1931, so as to prevent Clerk of the Superior Court from loaning trust funds.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Thompson of Columbus, Massenburg, Makepeace, Edwards and Tatem: H. R. 491, Joint Resolution relative to the employment of married couples now employed by agencies of the State government.

Referred to the Committee on Propositions and Grievances.

By Mr. Womble: H. R. 492, A Joint Resolution of the General Assembly of North Carolina, providing for a report by the head of each and every Department of the State of North Carolina, reporting the names and amounts of compensation received by any employee of said Departments from the Federal government.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

And.

H. R. 493, A Joint Resolution of the General Assembly of North Carolina, providing for and requiring and calling upon the Veterans Administration in Washington, D. C., to furnish to the House of Representatives and the Senate of the State of North Carolina a list showing the names and amounts of compensation in whatever form received by citizens of the State of North Carolina from the Federal government.

Passed first reading.

Rules suspended.

Passes its second reading, and remains on the Calendar.

By Mr. Smith: H. B. 494, A bill to be entitled An act to require the State Highway Commission to reimburse the County of Martin for all moneys furnished by said County to the Highway Commission for the construction of certain highways in Martin County, and for the construction of the Roanoke River bridge in Martin County.

Referred to the Committee on Roads.

And,

H. B. 495, A bill to be entitled An act to validate the acts of the Board of County Commissioners of Martin County in postponing the sale of land for taxes in said County.

Passed first reading.

Rules suspended.

Passes its second reading, and remains on the Calendar.

And,

H. B. 496, A bill to be entitled An act authorizing the Board of Commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trusts and mortgages held in the sinking fund of the County.

Referred to the Committee on Judiciary No. 1.

By Messrs. Newman and Grant: H. B. 497, A bill to be entitled An act to provide for hospitalization of indigent sick or injured persons by counties having hospital facilities and counties not having adequate hospital facilities.

Referred to the Committee on Health.

By Messrs. Crews, Watson, Grant, Martin and Garibaldi: H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Referred to the Committee on Judiciary No. 1.

By Mr. Thomas: H. B. 499, A bill to be entitled An act to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly, and the employment of necessary assistance for that purpose.

Referred to the Committee on Reorganization of State Government.

By Mr. White: H. B. 500, A bill to be entitled An act to amend section 160 of the Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 501, A bill to be entitled An act relating to the duties of the State Farm Demonstration Agent in Northampton County.

Referred to the Committee on Agriculture.

By Dr. Douglass, by request: H. B. 502, A bill to be entitled An act creating a lien in favor of hospitals for reasonable charges for treatment of persons suffering personal injuries.

Referred to the Committee on Health.

By Dr. Douglass, by request: H. B. 503, A bill to be entitled An act amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

Referred to the Committee on Health:

By Mr. Spruill: H. B. 504, A bill to be entitled An act to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the Town of Windsor in Bertie County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Braddy: H. B. 505, A bill to be entitled An act to fix the salaries of officers of Bladen County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 506, A bill to be entitled An act authorizing the Board of Commissioners of Bladen County to compromise interest rate on delinquent taxes, and to allow redemption of land sold for taxes in certain cases.

Referred to the Committee on Finance.

And,

H. B. 507, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept County vouchers in payment of taxes.

Referred to the Committee on Judiciary No. 2.

By Mr. Taylor of Mecklenburg: H. B. 508, A bill to be entitled An act to amend the rules of evidence relating to trials in the courts of North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. English, by request: H. B. 509, A bill to be entitled An act to save the homes of distressed people in North Carolina.

Referred to the Committee on Public Welfare.

By Mr. Neal: H. B. 510, A bill to be entitled An act to require that notice be mailed to the owner of property being offered for sale under foreclosure, etc.

Referred to the Committee on Judiciary No. 1.

By Mr. Culpepper: H. B. 511, A bill to be entitled An act to repeal a portion of chapter 15, section p, of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating

in Elizabeth City, and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

Referred to the Committee on Finance.

And,

H. B. 512, A bill to be entitled An act to permanently exempt firemen from jury duty in Pasquotank County after ten years' service as a regular fireman.

Referred to the Committee on Judiciary No 2.

And,

H. B. 513, A bill to be entitled An act to amend section 2366 of the Consolidated Statutes, relating to breach of contract of tenant, so as to include Pasquotank County among the several other counties named in said section.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 514, A bill to be entitled An act to amend chapter 167, Public Laws of 1929, relating to the courts of Pasquotank County.

Referred to the Committee on Courts and Judicial Districts.

And,

H. B. 515, A bill to be entitled An act to amend section 109, Chapter 427, Public Laws of 1931, relative to a license tax on photographers.

Referred to Committee on Finance.

By Mr. Galloway: H. B. 516, A bill to be entitled An act to place the names of Confederate Veterans on State Pension Roll.

Referred to the Committee on Pensions.

By Messrs. Galloway and Ledford: H. B. 517, A bill to be entitled An act to allow persons having deposits in closed banks to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

Referred to the Committee on Banks and Banking.

By Mr. Galloway: H. B. 518, A bill to be entitled An act to prohibit the State and its sub-divisions from taking and appropriating private properties without just compensation.

Referred to the Committee on Judiciary No. 1.

By Messrs. Hamilton and Bender: H. B. 519, A bill to be entitled An act to authorize the Secretary of the State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

Referred to the Committee on Judiciary No. 1.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 139, A bill to be entitled An act to amend the Public Laws of 1917, Chapter 136, as set forth in Article 19, Consolidated Statutes, Part II, Plan "B," relating to municipal corporations.

Referred to the Committee on Judiciary No. 2.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 461, A bill to be entitled An act to fix the compensation of the members of the Board of County Commissioners of Macon County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 462, A bill to be entitled An act to provide compensation to the members of the Board of Commissioners of the City of Hendersonville for their services.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 466, A bill to be entitled An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said Town in payment of special assessments.

On motion of Mr. O'Berry, the bill is recommitted to the Committee on Finance.

H. B. 442, A bill to be entitled An act to extend the time for the institution of suits on tax certificates for the Town of Snow Hill, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 443, A bill to be entitled An act to authorize the Commissioners of Greene County to appoint a tax collector and fix his compensation.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 447, A bill to be entitled An act to fix the salary of the Recorder of the Recorder's Court of Camden County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 458, A bill to be entitled An act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the Board of Education of Camden County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 414, A bill to be entitled An act to validate and authorize the sale of lands for taxes by municipalities in Haywood County.

Having been recalled from Engrossing office, on motion of Mr. Morphew, the vote by which the bill passed its third reading is reconsidered. Mr. Morphew offers an amendment which is adopted.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

H. B. 80, A bill to be entitled An act to amend chapter 278, Public Laws of 1931, relating to the number of members of the Board of Education of Wilkes County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 344, A bill to be entitled An act to fix the number and term of officers of the Board of Education for the County of Ashe, and to define their duties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 467, A bill to be entitled An act to allow the Board of Aldermen of the Town of Brevard to extend the time for payment of street assessments in said Town.

On motion of Mr. O'Berry, the bill is recommitted to the Committee on Finance.

H. B. 468, A bill to be entitled An act to authorize the Tax Collector of the Town of Brevard to receive bonds on notes of said Town in payment of debt service portion of current or delinquent taxes.

On motion of Mr. O'Berry, the bill is recommitted to the Committee on Finance.

H. B. 465, A bill to be entitled An act to appoint a member of the Board of Education of Jones County to fill vacancy caused by resignation of George Hughes to become Clerk of the Superior Court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Senate Substitute for:

H. B. 63, A bill to be entitled An act to amend chapter 329, Public Laws, 1925, relating to salary of the Chairman of the Board of County Commissioners and the Sheriff of Swain County.

For concurrence in the Senate Substitute.

On motion of Mr. Randolph, the Senate Substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original bill is laid on the Table.

H. B. 301, A bill to be entitled An act to amend section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said action.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 356, A bill to be entitled An act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

Mr. Neal offers an amendment which is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 85, A bill to be entitled An act to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

On motion of Mr. Gattis, the vote by which the Committee amendment was adopted is reconsidered.

On motion of Mr. Gattis, the Committee amendment is withdrawn.

Mr. Johnson of Pender offers an amendment.

Mr. Smith offers an amendment.

Mr. Williams offers an amendment.

On motion of Mr. Martin, the bill and amendments are recommitted to the Committee on Health.

S. B. 152, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

Passes its third reading, and is ordered Enrolled.

S. B. 35, A bill to be entitled An act to amend section 12-1/2 of chapter 430, Public Laws, 1931, relating to summer school requirements for teachers. Passes its second and third readings, and is ordered Enrolled.

S. B. 78, A bill to be entitled An act to provide for free privilege license for the blind to transact business in this State.

Passes its second and third readings, and is ordered Enrolled.

S. B. 186, A bill to be entitled An act to permit an extension on all loans to War Veterans under the World War Veterans' Loan Act.

Passes its second and third readings, and is ordered Enrolled.

S. B. 159, A bill to be entitled An act to authorize the issuance and sale of \$110,000.00 refunding bonds of the County of Wayne; to validate the issuance and sale of \$65,000.00 Wayne County School refunding bonds.

Passes its second reading by the following vote, and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—105.

Those voting in the negative are: None.

The Chair appoints Miss Kathleen White, daughter of Representative White, of Northampton County, an honorary Page of the House.

On motion of Mr. Taylor of Mecklenburg, H. B. 418, A bill to be entitled An act to prohibit the institution of an action for the recovery of a deficiency judgment, and to prohibit the entry of a deficiency judgment, is taken from the unfavorable Calendar, and placed on the Calendar.

On motion of Mr. Gattis, the bill is recommitted to the Committee on Judiciary No. 1.

On motion of Mr. McEachern, H. B. 426, A bill to be entitled An act to authorize the County Commissioners of Greene County to employ some person to administer hog cholera serum in Greene County, is taken from the Calendar, and recommitted to the Committee on Agriculture.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 71, An act to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor.
- S. B. 73, An act to amend section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County.
- S. B. 162, An act to validate the acts of A. L. Woolard performed by him as Justice of the Peace, since April 7, 1931, and to appoint said A. L. Woolard a Justice of the Peace for Carolina Township, Pitt County.
- S. B. 189, An act fixing the salaries and certain procedure with respect to the Recorder's Court of Rutherford County, and appointment of Recorder and election of Solicitor.

On motion of Dr. Lee, the House adjourns in honor to the memory of Dr. Clarence A. Shore, who died this day in the City of Raleigh, and on motion of Mr. Johnson of Chatham, will meet tomorrow at ten o'clock, a. m.

## THIRTY-FOURTH DAY

House of Representatives, Saturday, February 11, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Crews and Watson: H. R. 520, Joint Resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States tariff imposed on imported fruits and vegetables into the United States.

Placed on the Calendar.

By Mr. Aycock of Wake: H. B. 521, A bill to be entitled An act for the efficient and economical operation of the Public Schools of the State and for the distribution of the State appropriations made for the support of the free public schools.

Referred to the Committee on Education.

By Mr. Galloway: H. B. 522, A bill to be entitled An act to validate the acts of certain Justices of the Peace of Transylvania County.

Referred to the Committee on Judiciary No. 2.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 17, A bill to be entitled An act relating to divorces.

Referred to the Committee on Judiciary No. 1.

S. B. 205, A bill to be entitled An act to amend Chapter 714 of the Public Laws of North Carolina, Session 1909, relating to the Alamance Battle Ground Company.

Referred to the Committee on Judiciary No. 2.

H. B. 189, A bill to be entitled An act to amend chapter 88, Public Laws 1915, relating to eradication of hog cholera in Wilson County.

Placed on the Calendar for concurrence in the Senate Amendment.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 481, A bill to be entitled An act to amend the Charter of the City of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 487, A bill to be entitled An act to amend Chapter 111, Public-Local Laws of 1929, relative to tax collector of Rutherford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 495, A bill to be entitled An act to validate the acts of the Board of County Commissioners of Martin County in postponing the sale of land for taxes in said County.

Passes its third reading and is ordered sent to the Senate without Engrossment.

H. B. 107, A bill to be entitled An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 238, A bill to be entitled An act to amend or repeal a portion of chapter 538, Public-Local Laws of 1911, and chapter 369, Public-Local Laws of 1915, chapter 493, Public-Local Laws of 1917, relating to drainage in Mecklenburg County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 385, A bill to be entitled An act to amend chapter 121, Private Laws 1931, being "An act to incorporate the City of Asheville to define its limits, to provide for its government and for other purposes."

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 471, A bill to be entitled An act to relieve church property in the Town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Graham, the House adjourns and will meet Monday night at 8:00 o'clock.

## THIRTY-FIFTH DAY

House of Representatives,
Monday Night, February 13, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rabbi Frederick Frank, of the City of Raleigh.

Mr. Turner of Iredell for the Committee on the Journal reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Zeb Vance Norman, of Washington County, former Member of the House.

Leave of absence is granted to Mrs. Mebane, of Rockingham County, Mr. Culpepper of Pasquotank County, and Mr. Cover of Cherokee County.

### SPECIAL REPORT BY THE COMMITTEE ON FINANCE

To the Honorable Members of the General Assembly:

Believing that it is the desire of both branches of your body to learn something as to the action of the Committee on Finance, having through its sub-committee the undertaking of the draft of a new Revenue Bill, it is assumed that the Members of the General Assembly know something of the stupendous task being undertaken to raise the necessary revenue to meet the appropriations of the State and safeguard its credit. We have been working as continuously as physically possible in the discharge of our duties. We beg to advise that it is our belief that we will be able to submit draft of Revenue Bill being made by the sub-committee to the joint finance committees the last part of the week, and trust that the action of such joint committees can be brought before the General Assembly during the early part of next week.

# Respectfully submitted,

R. G. RANKIN,

Chairman Senate Finance Committee.

R. A. Doughton,

Chairman House Finance Committee.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Cherry, for the Committee on Finance:

H. B. 378, A bill to be entitled An act to authorize the Commissioners of the County of Ashe to refund the bonded indebtedness of said county on a basis of the ability of the taxpayers to pay said bonded indebtedness.

And.

H. B. 459, A bill to be entitled An act to authorize the Commissioners of the County of Macon to refund the bonded indebtedness of said county on a basis of the ability of the taxpayers to pay said bonded indebtedness.

With unfavorable reports.

By Mr. Newman for the Committee on Appropriations:

H. B. 370, A bill to be entitled An act to relieve landowners of Pasquotank Drainage District Number One, Pasquotank County.

And.

H. B. 339, A bill to be entitled An act for the relief of Cos Paxton, Ex-Sheriff and Tax Collector for Transylvania County.

With unfavorable reports.

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 51, A bill to be entitled An act to amend section 2314 of the Consolidated Statutes relating to jurors.

And,

H. B. 352, A bill to be entitled An act to amend section 2312 of the Consolidated Statutes exepting Clay County from the requirement of payment of taxes by jurors.

And.

H. B. 286, A bill to be entitled An act to amend section 3904 of the Consolidated Statutes of 1919 relating to fees in the Recorder's Court in Scotland County.

And.

H. B. 320, A bill to be entitled An act relating to costs, and to trial by jury, in Criminal Actions tried in the County Recorder's Court of Mecklenburg County.

And.

H. B. 203, A bill to be entitled An act relative to the drawing of Grand Jurors in Wake County.

And.

H. B. 137, A bill to be entitled An act to repeal chapter 21, Public-Local Laws, 1929, relating to Tales Jurors summoned to serve, either in Civil or Criminal Courts in Buncombe County.

And.

H. B. 181, A bill to be entitled An act to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as Tales Juror or Jurors, either Civil or Criminal Courts of Guilford.

And.

H. B. 411, A bill to be entitled An act requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

With favorable reports.

And,

H. B. 98, A bill to be entitled An act to amend section 2321 of the Consolidated Statutes relating to qualifications of talesmen.

With an unfavorable report.

And,

H. B. 448, A bill to be entitled An act to amend section 1608 of Volume III of the Consolidated Statutes bringing the County of Wilkes within the provisions of the General Recorder's Court Acts.

With an unfavorable report.

On motion of Mr. Cowles, the bill is taken from the Unfavorable Calendar and recommitted to the Committee on Courts and Judicial Districts.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 356, A bill to be entitled An act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

H. B. 414, A bill to be entitled An act to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee counties.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Pope: H. R. 523, A Joint Resolution of the General Assembly of North Carolina approving the purposes of the Century of Progress Exposition to be held in Chicago from June First to November, 1933, and to authorize the participation of the State of North Carolina therein, and to call upon the people of the State for moral and financial coöperation.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Moss: H. R. 524, Joint Resolution commending Congressman E. W. Pou for his patriotic speech advocating plenary power be given President-Elect Roosevelt to reduce governmental costs.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Bowie: H. B. 525, A bill to be entitled An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the Election Laws more economical and more efficient.

Referred to the Committee on Election Laws.

By Mr. Sullivan: H. B. 526, A bill to be entitled An act to repeal chapter 279 of the Public Laws, 1931, relating to the regulation of compensation insurance rates and to create a division of the North Carolina Industrial Commission known as the North Carolina Rating and Inspection Bureau, for

the purpose of promulgating rules, regulations and rates for compensation insurance and compiling statistics thereto.

Referred to the Committee on Insurance.

And.

H. B. 527, A bill to be entitled An act to protect red fox in the State of North Carolina.

Referred to the Committee on Game.

And.

H. B. 528, A bill to be entitled An act to amend chapter 121, Private Laws, 1931, being "An Act to incorporate the City of Ahseville, to define its limits, to provide for its government, and for other purposes," to require municipal primaries and elections to be partisan.

Referred to the Committee on Judiciary No. 2.

By Mr. Vann: H. B. 529, A bill to be entitled An act to authorize the Commissioners of Hertford County to appoint an agent or agents for the collection of taxes in said county.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Froneberger: H. B. 530, A bill to be entitled An act to establish a Boxing Commission for the Town of Belmont, in Gaston County.

Referred to the Committee on Judiciary No. 2.

By Mr. Ray: H. B. 531, A bill to be entitled An act to authorize and empower the Town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.

Referred to the Committee on Finance.

And.

H. B. 532, A bill to be entitled An act to amend chapter 66 of the Private Laws of 1931 relating to the powers of the Board of Commissioners of the Town of East Flat Rock, in Henderson County.

Referred to the Committee on Judiciary No. 2.

By Mr. Hutchins: H. B. 533, A bill to be entitled An act relating to the compensation of the Register of Deeds of Yancey County.

Referred to the Committee on Salaries and Fees.

By Mr. Massenburg: H. B. 534, A bill to be entitled An act to define and establish the Senatorial Districts of the State as required by the Constitution and to make apportionment of the Members of the Senate.

Referred to the Committee on Senatorial Districts.

By Mr. White: H. B. 535, A bill to be entitled An act to regulate salaries of the public officers of Northampton County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Allen: H. B. 536, A bill to be entitled An act fixing the salaries of the Sheriff, Clerk of the Superior Court and Register of Deeds of Granville County.

Referred to the Committee on Salaries and Fees.

By Messrs. Thompson of Beaufort, Thompson of Columbus: H. B. 537, A bill to be entitled An act to repeal and rewrite section 6108 of the Consolidated Statutes relating to enrollment of bills.

Referred to the Committee on Salaries and Fees.

And,

H. B. 538, A bill to be entitled An act to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers, and further provide a penalty for the punishment of the violations of the Fertilizer Laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer and for other purposes.

Referred to the Committee on Agriculture.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 134, A bill to be entitled An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

Referred to the Committee on Health.

S. B. 201, A bill to be entitled An act to regulate public drunkenness in Haywood County by amending chapter 477, Public Local Laws of 1931.

Referred to the Committee on Propositions and Grievances.

S. R. 209, Joint Resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States Tariff imposed on imported fruits and vegetables into the United States.

Referred to the Committee on Federal Relations.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 189, A bill to be entitled An act to amend chapter 88, Public Laws of 1915, relating to eradication of hog cholera in Wilson County.

For concurrence in the Senate Amendment.

On motion of Mr. Boswell the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 451, A bill to be entitled An act to amend section 2808 Consolidated Statutes of North Carolina relating to collection of water rents.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 311, A bill to be entitled An act to amend chapter 86 of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

An amendment offered by Mr. Dees is adopted.

As amended, the pill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 377, A bill to be entitled An act to amend chapter 170, Laws of 1921, relating to standard weight packages of hominy and grits.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 454, A bill to be entitled An act to amend section 93 of the Consolidated Statutes, relating to the order in which debts of a decedent are to be paid.

An amendment offered by Mr. Lumpkin is adopted.

The bill fails to pass its second reading.

H. B. 478, A bill to be entitled An act to amend chapter 97 of the Public Laws of 1929, in regard to premiums on officials bonds in Warren County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. R. 493, A Joint Resolution of the General Assembly of North Carolina providing for and requiring and calling upon the Veterans Administration in Washington, D. C., to furnish to the House of Representatives and the Senate of the State of North Carolina a list showing the names and amounts of compensation in whatever form received by citizens of the State of North Carolina from the Federal Government.

On motion of Mr. Edwards, the bill is recommitted to the Committee on Federal Relations.

H. R. 520, A Joint Resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States Tariff imposed on imported fruits and vegetables into the United States.

On motion of Mr. Crews the bill is laid on the table.

House Committee Substitute for:

S. B. 97, A bill to be entitled An act to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of Solicitors of the Superior Court.

House Committee Substitute is adopted.

An amendment offered by Mr. Beasley is lost.

An amendment offered by Mr. Scarborough is lost.

Passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Committee Substitute.

S. B. 159, A bill to be entitled An act to authorize the issuance and sale of \$110,000 refunding bonds of the County of Wayne, to validate the issuance and sale of \$65,000 Wayne County School refunding bonds.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flannagan, Fronberger, Galloway, Gardner, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Massenburg, Miz-

zell, Moore, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—106.

Those voting in the negative are: None.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 35, An act to amend section 12½ of chapter 430 Public Laws 1931 relating to summer school requirements for teachers.
- S. B. 78, An act to provide for free privilege license for the blind to transact business in this State.
- S. B. 152, An act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.
- H. B. 63, An act to place the Sheriff and Tax Collector of the County of Swain upon a commission basis and to place the Chairman of the Board of County Commissioners of the County of Swain upon a per diem.
- S. B. 186, An act to permit an extension on all loans to war veterans under the World War Veterans' Loan Act.
- H. R. 400, Proposed Joint Resolution for consideration of the North Carolina State Legislature.
- H. B. 37, An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Union County from the Absentee Voters Law.
- H. B. 101, An act to amend chapter 59, Private Laws of North Carolina, session of 1913, relating to City Elections in the City of Raleigh.
- H. B. 180, An act to repeal chapter 23, Public-Local Laws, Extra Session, 1924, relating to Rural Policemen in Currituck County.
- H. B. 388, An act to establish for the City of Charlotte the Charlotte Firemen's Retirement Fund Association.
- H. B. 428, An act to fill two vacancies on the Board of Leaksville Township Railroad Trustees.

On motion of Mr. Everett, S. B. 81, A bill to be entitled an act, to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections, is taken from the Committee on Elections Laws and placed on the Calendar.

On motion of Mr. Gattis, H. B. 497, A bill to be entitled An act to provide for hospitalization of indigent sick or injured persons by counties having hospital facilities and counties not having adequate hospital facilities, is taken from the Committee on Health and recommitted to the Committee on Finance.

On motion of Mr. Gattis, H. B. 502, A bill to be entitled An act, creating a lien in favor of hospitals for reasonable charges for treatment of persons suffering personal injuries, is taken from the Committee on Health, and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Gattis, H. B. 503, A bill to be entitled An act, amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of a decedent, is taken from the Committee on Health and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Wilson, the House adjourns and will meet tomorrow at 12 o'clock.

## THIRTY-SIXTH DAY

House of Representatives, Tuesday, February 14, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. McC. White, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. H. L. Williamson, of Bladen County, former Member of the House.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Cherry, for the Committee on Roads:

H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked State highways through the cities and towns.

With an unfavorable report as to bill, favorable report as to Committee substitute, as amended.

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 396, A bill to be entitled An act to designate a depository for the public funds of the County of Ashe.

With a favorable report.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 499, A bill to be entitled An act to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly, and the employment of necessary assistance for that purpose.

With a favorable report.

By Mr. Wilson, for the Committee on Finance:

H. B. 387, A bill to be entitled An act to provide for the payment of salaries of officers of the North Carolina Railroad Company into the general funds of the State.

With an unfavorable report.

And,

H. B. 511, A bill to be entitled An act to repeal a portion of chapter 15, section P, of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

With a favorable report.

And

H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

With an unfavorable report as to bill; favorable as to Committee substitute.

On motion of Mr. Wilson, the Committee substitute is ordered printed.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

With an unfavorable report as to bill—unfavorable as to first Committee substitute—favorable as to second Committee substitute.

On motion of Mr. Scarborough, the second Committee substitute is ordered printed.

And,

S. B. 175, A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

And

H. B. 519, A bill to be entitled An act to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

With favorable reports as amended.

And,

H. B. 429, A bill to be entitled An act to amend section 437, sub-section 2, of the Consolidated Statutes, relating to actions for personal judgments against makers of notes or bonds for the purchase money of lands.

And

H. B. 496, A bill to be entitled An act authorizing the Board of Commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trust and mortgages held in the sinking fund of the County.

And,

H. B. 304, A bill to be entitled An act relative to reorganization of corporations whose charters have been forfeited.

And.

H. B. 255, A bill to be entitled An act to legalize the sale of light wines and beers in North Carolina and place a tax thereon to take effect upon the legalization of the sale of said beverages by an Act of Congress.

With favorable reports.

And,

H. B. 502, A bill to be entitled An act creating a lien in favor of hospitals for reasonable charges for treatment of persons suffering personal injuries. With an unfavorable report.

And on motion of Mr. Brawley, the bill is taken from the Unfavorable Calendar and recommitted to the Committee on Judiciary No. 1.

And

S. B. 171, A bill to be entitled An act to provide for a minimum of eight months school term for the City of Charlotte, limiting the tax rate for school purposes, prohibiting school commissioners from borrowing money and permitting the governing body of Charlotte to borrow and advance money to the school commissioners for school purposes, and authorizing the Mayor to approve the school budget and contracts of school commissioners for the erection of schools.

With an unfavorable report as to bill; favorable as to the Committee substitute.

And.

H. B. 225, A bill to be entitled An act to regulate automobile liability insurance rates.

With an unfavorable report as to bill and substitute.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 233, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said County.

With a favorable report as amended.

And.

S. B. 193, A bill to be entitled An act to empower the Board of Commissioners of Burke County to reduce the salaries of county officers.

And.

H. B. 505, A bill to be entitled An act to fix the salaries of the officers of Bladen County.

And,

H. B. 486, A bill to be entitled An act to repeal chapter 109, Public-Local Laws 1929, relating to salaries of County officers of Rutherford County, and fixing salaries of Clerk Superior Court, Register of Deeds and Treasurer of said County.

And,

H. B. 483, A bill to be entitled An act relating to the salaries of the officers of Bertie County.

And,

H. B. 536, A bill to be entitled An act fixing the salaries of the Sheriff, Clerk of the Superior Court and Register of Deeds of Granville County.

And,

H. B. 533, A bill to be entitled An act relating to the compensation of the Register of Deeds of Yancey County.

With favorable reports.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 107, A bill to be entitled An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

H. B. 311, A bill to be entitled An act to amend chapter 86 of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates.

H. B. 478, A bill to be entitled An act to amend chapter 97, of the Public-Local Laws of 1929, in regard to premiums on officials' bonds in Warren County.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Etheridge, McEachern, Turner of Guilford and Graham: H. R. 539, Joint Resolution endorsing the Honorable Mrs. Lily Morehead Mebane as Ambassador to the Court of Sweden.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Wilson, Warlick, O'Berry, Johnson of Chatham, Makepeace, Thompson of Columbus, Womble and Boyd: H. B. 540, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Referred to the Committee on Finance.

By Mr. Beasley: H. B. 541, A bill to be entitled An act to authorize the State to assume full authority for the control and maintenance of the transportation system for children in the public schools of North Carolina.

Referred to the Committee on Education.

By Mr. Grady (by request): H. B. 542, A bill to be entitled An act to amend chapter 30, section 1659 of the Consolidated Statutes of North Carolina and all acts amendatory thereto relative to grounds for divorce.

Referred to the Committee on Judiciary No. 2.

By Mr. Morphew: H. B. 543, A bill to be entitled An act to authorize and empower the Board of County Commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.

Referred to the Committee on Banks and Banking.

By Mr. Eaton: H. B. 544, A bill to be entitled An act to repeal the Absentee Ballot Law for Yadkin County, North Carolina.

Referred to the Committee on Election Laws.

By Mr. Everett: H. B. 545, A bill to be entitled An act to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 546, A bill to be entitled An act by which the service of notice of summons by publication can be permanently proven by record.

Refered to the Committee on Judiciary No. 2.

By Mr. Howell: H. B. 547, A bill to be entitled An act to create the office of deputy township constable for Waynesville Township, Haywood County. Referred to the Committee on Counties, Cities and Towns.

By Mr. Davis: H. B. 548, A bill to be entitled An act to authorize Hyde County to use certain funds to pay judgments.

Referred to the Committee on Finance.

By Mr. Lumpkin: H. B. 549, A bill to be entitled An act authorizing the County of Franklin to accept vouchers issued by the said County in payment of taxes and other obligations due the County.

Referred to the Committee on Finance.

By Mr. Johnson of Pender: H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

Referred to the Committee on Insurance.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows. Senate Substitute for:

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry, and providing for the physical examination of applicants."

The following Special Message is received from the Senate:

SENATE CHAMBER, February 14, 1933.

Mr. Speaker:

It is ordered by the Senate that Substitute for H. B. No. 15 be recalled from your honorable body for further consideration by the Senate.

Respectfully yours,

LEROY MARTIN, Principal Clerk.

On motion of Mr. Cherry, the bill is returned to the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 140, A bill to be entitled An act to repeal chapter 175 of Public-Local Laws of 1931, relative to jury and tax commissions in Madison

County, and chapter 183 of Public-Local Laws of 1931, providing a sinking fund commission in Madison County.

A minority report having been attached to the bill, the question now recurs upon the adoption of said report.

The minority report is adopted.

On motion of Mr. Ewing, the bill is laid on the Table.

H. B. 181, A bill to be entitled An act to repeal chapter 601 of Public-Local Laws of 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 203, A bill to be entitled An act relative to the drawing of grand jurors in Wake County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 286, A bill to be entitled An act to amend section 3904 of the Consolidated Statutes of 1919, relating to fees in the Recorder's Court in Scotland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 320, A bill to be entitled An act relating to costs, and to trial by jury, in criminal actions tried in the County Recorder's Court of Mecklenburg County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 352, A bill to be entitled An act to amend section 2312 of the Consolidated Statutes, exempting Clay County from the requirement of payment of taxes by jurors.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 81, A bill to be entitled An act to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections.

Passes its second and third readings, and is ordered Enrolled.

H. B. 452, A bill to be entitled An act to amend section 441, sub-section 9, of the Consolidated Statutes of North Carolina, relating to the running of Statute of Limitations in certain cases.

On motion of Mr. Womble, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 51, A bill to be entitled An act to amend section 2314 of the Consolidated Statutes, relating to jurors.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 159, An act to authorize the issuance and sale of \$110,000.00 refunding bonds of the County of Wayne, to validate the issuance and sale of \$65,000.00 Wayne County school refunding bonds.

H. B. 161, An act to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

H. B. 189, An act to amend chapter 88, Public Laws 1915, relating to eradication of hog cholera in Wilson County.

H. B. 205, An act to repeal chapter 174, Public-Local Laws, Session 1927, being "An Act to repeal the County Primary Law for Caldwell and Yancey Counties" and Chapter 413, Public-Local Laws of 1929, amendatory to said Chapter 174.

H. B. 495, An act to validate the acts of the Board of County Commissioners of Martin County in postponing the sale of land for taxes in said county.

On motion of Mr. Massenburg, the House adjourns, and will meet tomorrow at 12:00 o'clock.

## THIRTY-SEVENTH DAY

House of Representatives, Wednesday, February 15, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. Frederick Redfern, President of Shaw University, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 128, A bill to be entitled An act to provide for unincorporated beneficial organizations, associations and/or societies to sue and be sued in common name.

And,

H. B. 130, A bill to be entitled An act to amend Consolidated Statutes 6518, relating to insurance societies, so as to bring certain excluded societies within the purview of the Insurance Law.

And.

H. B. 361, A bill to be entitled An act to amend chapter 120 of the Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

With favorable reports.

By Mr. Cherry, for the Committee on Roads:

H. B. 132, A bill to be entitled An act to amend section 24, sub-section 15 of chapter 145, Public Laws of 1931, by inserting in Classification 1 at the end of line four of sub-section 15, following the word "tractor" a comma, and striking out figures "(1)," "(2)," and "(3)" and lines five and six down to comma in line six.

And,

H. B. 347, A bill to be entitled An act to repeal chapter 247 of the Public-Local Laws of 1929 and chapter 333 of the Public-Local Laws of 1931, abolishing the Board of Road Commissioners for the County of Ashe.

And,

H. B. 123, A bill to be entitled An act to mark license plates for motorvehicles so as to distinguish the front plate from the rear plate.

And

H. B. 343, A bill to be entitled An act to amend and add to sub-section 14, section 34, chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

And,

H. B. 196, A bill to be entitled An act to amend section 24 of chapter 145, Public Laws of 1931, relating to refund on motor fuels.

And,

H. B. 372, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relative to rebate of gasoline tax and tax on gasoline used in all stationary engines.

And.

H. B. 365, A bill to be entitled An act to amend section 24, chapter 145, Public Laws, 1931, relating to refund of taxes on motor fuels used in grist mills, cotton gins and stationary engines.

With unfavorable reports.

And,

H. B. 389, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

With a favorable report, as amended.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 507, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept County vouchers in payment of taxes.

The Committee recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

And,

H. B. 38, A bill to be entitled An act to repeal chapter 150 of the Private Laws of North Carolina, Session of 1925, relating to the Charlotte Park and Recreation Commission.

And,

H. B. 231, A bill to be entitled An act to amend section 2494, Volume III of the Consolidated Statutes, requiring all couples of North Carolina who

marry in another state to file a copy of their marriage certificate in the office of the Register of Deeds of the home county of the groom.

And.

H. B. 209, A bill to be entitled An act to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

With unfavorable reports as to bill; favorable as to the Committee substitute.

And.

H. B. 172, A bill to be entitled An act to govern the introduction of confessions.

With unfavorable report as to bill; Committee substitute reported without prejudice.

And.

H. B. 532, A bill to be entitled An act to amend chapter 66 of the Private Laws of 1931, relating to the powers of the Board of Commissioners of the Town of East Flat Rock in Henderson County.

And.

H. B. 513, A bill to be entitled An act to amend section 2366 of the Consolidated Statutes, relating to breach of contract of tenant, so as to include Pasquotank among the several other courties named in said section.

And,

H. B. 545, A bill to be entitled An act to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

And,

S. B. 205, A bill to be entitled An act to amend chapter 714 of the Public Laws of North Carolina, Session 1909, relating to the Alamance Battle Ground Company.

And,

H. B. 407, A bill to be entitled An act to amend section 1608 (u) of the Consolidated Statutes, relating to jury trials in the General County Court.

And.

H. B. 408, A bill to be entitled An act to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the General County Court to the Superior Court.

And,

H. B. 409, A bill to be entitled An act to amend section 24 (d) of section 2 of chapter 85, Public Laws of 1924, same being An Act to relieve congestion in court docket and provide for the speedy trial of cases.

And.

H. B. 410, A bill to be entitled An act to amend chapter 245, Public Laws, 1925, relating to removal of causes from the General County Court.

And,

H. B. 500, A bill to be entitled An act to amend section 160 of the Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

And,

H. B. 530, A bill to be entitled An act to establish a Boxing Commission for the Town of Belmont in Gaston County.

And,

H. B. 512, A bill to be entitled An act to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.

H. B. 480, A bill to be entitled An act relating to official bonds of public officers in Gaston County.

And

H. B. 522, A bill to be entitled An act to validate the acts of certain justices of the peace of Transylvania County.

And

H. B. 95, A bill to be entitled An act to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

With favorable reports.

And.

H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between 1:30 and 6:30 p. m. on Sundays.

Bill reported without prejudice, as amended.

And,

H. B. 319, A bill to be entitled An act, relating to official bonds of public officers in Gaston County.

And,

H. B. 450, A bill to be entitled An act to amend section 3315, Consolidated Statutes of North Carolina, relating to the recordation of deeds of gift.

And.

H. B. 452, A bill to be entitled An act to amend section 441, sub-section 9 of the Consolidated Statutes of North Carolina, relating to the running of Statute of Limitations in certain cases.

And,

H. B. 434, A bill to be entitled An act making the requesting or soliciting by any person who is summoned or called as a juror a cause of challenge.

With unfavorable reports.

And.

H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountains National Park.

With unfavorable report as to bill; favorable as to the Committee substitute.

And, on recommendation of Committee, the bill and substitute are recommitted to the Committee on Appropriations.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 441, A bill to be entitled An act to amend the Charter of the City of Durham, so as to extend the corporate limits of said City.

And,

H. B. 547, A bill to be entitled An act to create the office of Deputy Township Constable for Waynesville Township, Haywood County.

With favorable reports.

And,

H. B. 431, A bill to be entitled An act to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property.

Bill reported without prejudice.

By Mr. Smith, for the Committee on Regulation of Public Service Corporations:

H. B. 217, A bill to be entitled An act to repeal section 1037 (e) of Chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants.

With a favorable report.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Beasley: H. B. 551, A bill to be entitled An act to validate tax sales of the Town of Marshville, North Carolina.

Referred to the Committee on Finance.

By Mr. Morphew: H. B. 552, A bill to be entitled An act for the relief of C. D. Sawyer, Tax Collector for the Town of Robbinsville, Graham County, authorizing the collection of back taxes.

Referred to the Committee on Finance.

By Mr. Martin: H. B. 553, A bill to be entitled An act to amend section 205 of the Consolidated Statutes, relating to disbarment of attorneys at law. Referred to the Committee on Judiciary No. 1.

By Mr. Sullivan: H. B. 554, A bill to be entitled An act to empower the City Council of the City of Asheville and/or the City of Asheville to relieve all churches or religious bodies and all charitable associations of special assessments for sidewalk paving and assessments for opening and widening streets wherein such churches or religious bodies or charitable associations were included in the zone of benefits and damages.

Referred to the Committee on Judiciary No. 2.

By Mr. Boyd: H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorder's Courts.

Referred to the Committee on Judiciary No. 2.

And

H. B. 556, A bill to be entitled An act to amend section 1589 of the Consolidated Statutes, relating to Recorder's Courts.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 557, A bill to be entitled An act to amend section 1 of Chapter 116, Public Laws of 1931 of North Carolina, relating to the collection of judgments against irresponsible drivers of motor vehicles.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 558, A bill to be entitled An act to amend section 1316 (a) of the Consolidated Statutes of North Carolina, relative to contracts and bonds of contractors for constructing public buildings.

Referred to the Committee on Judiciary No. 2.

And

H. B. 559, A bill to be entitled An act to provide for the merger or consolidation or two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

Referred to the Committee on Judiciary No. 2.

By Mr. Olive: H. B. 560, A bill to be entitled An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the Recorder's Court of Lexington.

Referred to the Committee on Judiciary No. 1.

By Messrs. Pope and Taylor of Halifax: H. B. 561, A bill to be entifled An act to repeal chapter 45 of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina, as to Halifax County."

Referred to the Committee on Counties, Cities and Towns.

By Mr. Boswell: H. B. 562, A bill to be entitled An act to repeal chapter 76 of Public-Local Laws of the Extra Session of 1924, relating to the appointment of special constables in Wilson County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Spruill: H. B. 563, A bill to be entitled An act providing for a court fund in all criminal causes in the General County Court of Bertie County.

Referred to the Committee on Judiciary No. 1.

By Mr. Lumpkin: H. B. 564, A bill to be entitled An act relating to segregation of taxes and partial release of property upon payment of taxes.

Referred to the Committee on Finance.

By Messrs. Crews, Cox and James: H. B. 565, A bill to be entitled An act to amend chapter 520 of the Public-Local Laws of 1915, being An act to establish a special court for Forsyth County with civil jurisdiction, to be known as Forsyth County Court, and amendments thereto, relating to terms of court.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 566, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.

Referred to the Committee on Courts and Judicial Districts.

By Messrs. Crews and Johnson of Chatham: H. B. 567, A bill to be entitled An act to amend Section 4585 of the Consolidated Statutes, so as to require Clerks of the Superior Courts to docket judgments nisi upon recognizances being forfeited.

Referred to the Committee on Judiciary No. 1.

By Mr. Arndt: H. B. 568, A bill to be entitled An act to amend chapter 101 of the Private Laws of 1883, relative to appointing a commission for the management of the cemetery and sale of cemetery lots in the Town of Conover, Catawba County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Lumpkin: H. B. 569, A bill to be entitled An act to place the name of Mrs. Mary H. Green of Franklin County on the pension roll.

Referred to the Committee on Pensions.

By Mr. Thompson of Beaufort: H. B. 570, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship. Referred to the Committee on Judiciary No. 2.

By Mr. McLauchlin: H. B. 571, A bill to be entitled An act, repealing chapter 183 of the Public-Local Laws of North Carolina, Extra Session of 1924, and regulating the fees of the Clerk of the Superior Court of Scotland County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 572, A bill to be entitled An act, amending chapter 381 of the Public-Local Laws of North Carolina, Session 1923, providing for the appointment of financial agents for the County of Scotland.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 573, A bill to be entitled An act regulating the jurisdiction of the Superior Courts of Scotland County.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 574, A bill to be entitled An act, regulating the payment of costs in the Criminal Court of Scotland County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 575, A bill to be entitled An act regulating the compensation of the public officers of Scotland County.

Referred to the Committee on Salaries and Fees.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 114, A bill to be entitled An act to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

Referred to the Committee on Roads.

S. B. 117, A bill to be entitled An act, amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax district and providing that the same shall apply in Rowan County.

Referred to the Committee on Judiciary No. 1.

S. B. 121, A bill to be entitled An act to amend chapter 120, Public Laws 1929, the same being known as "The Workmen's Compensation Act," so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

Referred to the Committee on Insurance.

H. B. 136, A bill to be entitled An act to amend section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

For concurrence in the Senate Amendment.

On motion of Mr. Sullivan, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 184, A bill to be entitled An act to amend section 5003 (1), chapter 87-A of the Consolidated Statutes, relative to autopsy.

Referred to the Committee on Health.

H. B. 190, A bill to be entitled An act to repeal the Absentee Ballot Law for Yancey, Wake and Wayne counties.

For concurrence in the Senate Amendment.

On motion of Mr. Hutchins, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 483, A bill to be entitled An act, relating to the salaries of the officers of Bertie County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 486, A bill to be entitled An act to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of Clerk of Superior Court, Register of Deeds and Treasurer of said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 496, A bill to be entitled An act authorizing the Board of Commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trust and mortgages held in the sinking fund of the county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 505, A bill to be entitled An act to fix the salaries of the officers of Bladen County.

On motion of Mr. Braddy, the bill is recommitted to the Committee on Salaries and Fees.

H. B. 511, A bill to be entitled An act to repeal a portion of chapter 15, section p, of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 533, A bill to be entitled An act, relating to the compensation of the Register of Deeds of Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

House Committee substitute for:

S. B. 171, A bill to be entitled An act to provide for the minimum of eight months school term for the City of Charlotte, limiting the tax rate for school purposes, prohibiting School Commissioners from borrowing money, and permitting the governing body of Charlotte to borrow and advance money to the School Commissioners for school purposes, and authorizing the Mayor to approve the school budget and contracts of School Commissioners for the erection of schools.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Substitute.

H. B. 536, A bill to be entitled An act, fixing the salaries of the Sheriff, Clerk of the Superior Court and Register of Deeds of Granville County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 137, A bill to be entitled An act to repeal chapter 21, Public-Local Laws, 1929, relating to tales jurors summoned to serve, either in Civil or Criminal Courts of Buncombe County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 411, A bill to be entitled An act, requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

On motion of Mr. O'Berry, the bill is recommitted to the Committee on Public Welfare.

H. B. 396, A bill to be entitled An act to designate a depository for the public funds of the County of Ashe.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 81, A bill to be entitled An act to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections.

On motion of Mr. Everett, the bill is recalled from the Enrolling Office; the vote by which the bill passed its third reading is reconsidered.

Mr. Everett offers an amendment, which is adopted.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House amendment.

Committee substitute for:

H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

The substitute is adopted, and remains on the Calendar for its several readings.

H. B. 233, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer Tax-Collector of said County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 175, A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

S. B. 193, A bill to be entitled An act to empower the Board of Commissioners of Burke County to reduce the salaries of county officers.

Passes its second and third readings, and is ordered Enrolled.

H. B. 255, A bill to be entitled An act to legalize the sale of light wines and beers in North Carolina and place a tax thereon to take effect upon the legalization of the sale of said beverages by an Act of Congress.

On motion of Mr. Martin, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 304, A bill to be entitled An act, relative to reorganization of corporations whose charters have been forfeited.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 429, A bill to be entitled An act to amend section 437, sub-section 2, of the Consolidated Statutes, relating to actions for personal judgments against makers of notes or bonds for the purchase money of lands.

On motion of Mr. Johnson of Pender, the bill is recommitted to the Committee on Judiciary No. 1.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 222, An act to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety insurance companies to make deposits.

H. B. 529, An act to authorize the Commissioners of Hertford County to appoint an agent or agents for the collection of taxes in said County.

On motion of Mr. Garibaldi, H. B. 417, A bill to be entitled An act to provide for a revaluation of lands in Mecklenburg County, for taxation purposes, is taken from the Committee on Finance, and placed on the Calendar.

On motion of Mr. Doughton, the House adjourns in honor of the forty-first birthday of the Representative from McDowell, Mr. Neal, and will meet tomorrow at twelve o'clock noon.

## THIRTY-EIGHTH DAY

House of Representatives, Thursday, February 16, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. John Crinkley, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. D. A. Thurston, of Johnston County, former Member of the House.

The Chair appoints Miss Betty Jane Sullivan, daughter of Representative Sullivan from Buncombe County, an honorary page of the House.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Brawley, for the Committee of Reorganization of State Government:

S. B. 92, A bill to be entitled An act to repeal Chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931, and any and all other laws relating to and providing for a tax commission.

With a favorable report.

By Mr. Lee, for the Committee on Health:

H. B. 340, A bill to be entitled An act to amend chapter 119, Public Laws 1929, as amended by the Public Laws 1931.

With an unfavorable report.

And,

S. B. 134, A bill to be entitled An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

And,

H. B. 268, A bill to be entitled An act to protect the health of mothers and infants and to regulate the practice of midwifery.

And,

S. B. 85, A bill to be entitled An act to amend chapter 119, Public Laws 1929, and chapter 32, Public Laws 1931, relating to State Barbers' License Law

With favorablie reports as amended.

And.

S. B. 158, A bill to be entitled An act providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County. With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 560, A bill to be entitled An act to amend Capter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the Recorder's Court of Lexington.

And.

S. B. 27, A bill to be entitled An act to amend the Charter of the Town of Oxford, chapter 302, Private Laws of 1913, as amended.

And,

S. B. 160, A bill to be entitled An act to amend chapter 532, Public-Local Laws of 1917, being "An act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said association."

And,

S. B. 117, A bill to be entitled An act amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax district and providing that the same shall apply to Rowan County.

S. B. 17, A bill to be entitled An act relating to divorces.

And,

S. B. 100, A bill to be entitled An act to prohibit the employment on any public works of any architect, engineer, designer or draftsman interested in the manufacture or sale of any material to be used in such work.

And.

H. B. 553, A bill to be entitled An act to amend section 205 of the Consolidated Statutes relating to disbarment of attorneys at law.

With favorable reports.

And,

H. B. 482, A bill to be entitled An act to prohibit criminal syndicalism and sabotage and provide a punishment for the commission thereof.

With an unfavorable report.

And,

H. B. 503, A bill to be entitled An act amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

And,

H. B. 300, A bill to be entitled An act to amend section 765 of the Consolidated Statutes of North Carolina, allowing the Clerk of the Superior Court to force Commissioners appointed by said Clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said Commissioner or Commissioners.

With favorable reports as amended.

And,

S. B. 173, A bill to be entitled An act to amend chapter 86 of the Public-Local Laws of 1931, reducing the salaries of the Sheriff, the Register of

Deeds, and the Clerk of the Superior Court of Mecklenburg County, and fixing salaries of the Jailer and Deputy Sheriffs, and amending chapter 236 of the Public-Local Laws of 1931, reducing the salary of the Chairman of the Board of County Commissioners of Mecklenburg County.

With a favorable report, and on motion of Mr. Garibaldi, the bill is recommitted to the Committee on Judiciary No. 1.

By Mr. O'Berry, for the Committee on Finance:

S. B. 127, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

And,

H. B. 507, A bill to be entitled An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes.

And.

H. B. 540, A bill to be entitled An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates.

And.

H. B. 549, A bill to be entitled An act authorizing the County of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county.

With favorable reports.

And,

H. B. 497, A bill to be entitled An act to provide for hospitalization of indigent sick or injured persons by counties having hospital facilities and counties not having adequate hospital facilities.

And,

H. B. 336, A bill to be entitled An act to amend section 29, chapter 60, Public Laws 1931, so as to permit investment of sinking funds in tax sales certificates.

And.

H. B. 551, A bill to be entitled An act to validate tax sales of Town of Marshville, North Carolina.

With unfavorable reports.

And.

H. B. 261, A bill to be entitled An act to promote the better enforcement of the Prohibition Laws and the Eighteenth Amendment.

The committee recommends that the bill be recommitted to the Committee on Judiciary No. 1.

It is so ordered.

By Mr. Bowie, for the Committee on Election Laws:

S. B. 109, A bill to be entitled An act to amend section 6054 of the Consolidated Statutes placing Randolph County under the operation of the state-wide Primary Law.

With a favorable report.

And,

H. B. 525, A bill to be entitled An act to amend Chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and Chapter 164 of the Public Laws of 1929 so as to make the administration of the election laws more economical and more efficient.

And.

H. B. 379, A bill to be entitled An act relative to the holding of elections in the County of Ashe.

With favorable reports, as amended.

And.

H. B. 216, A bill to be entitled An act to repeal State-wide Primary Law. With an unfavorable report as to the bill, favorable as to Committee substitute.

On motion of Mr. Barden, the Committee substitute is ordered printed.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 233, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said county.

H. B. 536, A bill to be entitled An act fixing the salaries of the Sheriff, Clerk of the Superior Court and Register of Deeds of Granville County.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Wilson, Johnson of Chatham, and Thompson of Columbus: H. R. 576, Joint resolution requesting the Federal Government to make an appropriation for schools and other purposes to the several states of one-half of the taxes now levied on manufactured tobacco and its products.

Referred to the Committee on Finance.

By Mr. Tompkins: H. B. 577, A bill to be entitled An act to amend chapter 128 of the Private Laws of 1931, relating to the Tribal Council of the Eastern Band of Cherokee Indians.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 578, A bill to be entitled An act to permit the Board of Commissioners of Jackson County to hypothecate certificates of tax sales held by that county, and to delay foreclosure proceedings thereupon.

Referred to the Committee on Finance.

And,

H. B. 579, A bill to be entitled An act authorizing the Board of County Commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township.

Referred to the Committee on Finance.

And,

H. B. 580, A bill to be entitled An act to amend chapter 19, Public-Local Laws 1931, relating to the drawing of jurors in Jackson County.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 581, A bill to be entitled An act to fix the fees to be collected by the Clerk of the Superior Court of Jackson County.

Referred to the Committee on Judiciary No. 2.

By Mrs. Mebane: H. R. 582, Joint resolution setting aside the week of March 5th-11th, 1933, as National Business Women's Week.

Referred to the Committee on Public Welfare.

By Mr. O'Berry: H. B. 583, A bill to be entitled An act to amend section 21 of chapter 148 of the Public Laws of 1927, requiring drivers of motor vehicles to stop before entering main highways.

Referred to the Committee on Roads.

By Mr. Barden: H. B. 584, A bill to be entitled An act to reduce the salary of the Mayor of the City of New Bern.

Referred to the Committee on Salaries and Fees.

And,

H. B. 585, A bill to be entitled An act to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public Laws of 1931, relative to delinquent taxpayers in Craven County, and to reënact the same as amended.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 586, A bill to be entitled An act relating to tax levies for Craven County for the years 1932, 1933, and 1934.

Referred to the Committee on Judiciary No. 1.

By Mr. Sigmon: H. B. 587, A bill to be entitled An act relating to special assessments levied by the Town of Lincolnton.

Referred to the Committee on Finance.

By Mr. Garrou: H. B. 588, A bill to be entitled An act to repeal chapter 17, chapter 116 and chapter 126 of the Public Laws of the Session of 1929, relating to establishment of Recorder's Court in Burke County and to repeal chapters 426 and 494 of Session of 1931 relating to General County Courts in Burke County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Gardner: H. B. 589, A bill to be entitled An act to amend chapter 147 of the Private Laws of 1907, being "An act to amend and revise the charter of the Town of Waco, in Cleveland County."

Referred to the Committee on Judiciary No. 2.

By Mr. Cover: H. B. 590, A bill to be entitled An act to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.

Referred to the Committee on Propositions and Grievances.

By Mr. Cowles: H. B. 591, A bill to be entitled An act to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County.

Referred to the Committee on Judiciary No. 2.

By Mr. English: H. B. 592, A bill to be entitled An act to amend section 5 of chapter 278 of the Public Laws of 1929, relating to open season for quail and squirrels, and to amend section 33 of chapter 51 of the Public Laws of 1927, relating to bag limit of quail and squirrels.

Referred to the Committee on Game.

By Dr. Douglass: H. B. 593, A bill to be entitled An act providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Culpepper: H. B. 594, A bill to be entitled An act to authorize the Board of County Commissioners of Pasquotank County the privilege of deferring tax sales in Pasquotank County to the first Monday in December.

Referred to the Committee on Finance.

H. B. 595, A bill to be entitled An act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the Sheriff.

Referred to the Committee on Finance.

By Mr. Move: H. B. 596, A bill to be entitled An act to exempt Greene County from certain restrictions relative to fishing in Greene County.

Referred to the Committee on Conservation and Development,

By Mr. Boswell: H. B. 597, A bill to be entitled An act to provide an open season for game birds and animals in Wilson County, and to regulate hunting and fishing in said county.

Referred to the Committee on Game.

By Messrs. Everett and Brawley: H. B. 598, A bill to be entitled An act to provide for the inspection of the watershed area of the municipal water supply of the City of Durham.

Referred to the Committee on Health.

By Mr. Grant: H. B. 599, A bill to be entitled An act to establish a consolidated governing body for the City of Wilmington and the County of New Hanover.

Referred to the Committee on Judiciary No. 1.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 151, A bill to be entitled An act to establish the office of Public Cotton Weigher for Township One of Edgecombe County.

Referred to the Committee on Counties, Cities and Towns.

S. B. 179, A bill to be entitled An act to amend Chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain counties.

Referred to the Committee on Finance.

S. B. 211, A bill to be entitled An act to incorporate Hubert M. Smith Post No. 77, American Legion, Hendersonville, N. C., for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said Post.

Referred to the Committee on Judiciary No. 1.

S. B. 231, A bill to be entitled An act to amend chapter 775, Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.

Referred to the Committee on Propositions and Grievances.

### CALENDAR

Bills and resolution on the Calendar are taken up and disposed of as follows:

H. B. 530, A bill to be entitled An act to establish a boxing commission for the Town of Belmont, in Gaston County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 532, A bill to be entitled An act to amend chapter 66 of the Private Laws of 1931, relating to the powers of the Board of Commissioners of the town of East Flat Rock, in Henderson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 547, A bill to be entitled An act to create the office of deputy township constable for Waynesville Township, Haywood County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 95, A bill to be entitled An act to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 209, A bill to be entitled An act to amend chapter 424, Public-Local Laws of 1915, as amended by chapter 72, Public-Local Laws of 1929.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 417, A bill to be entitled An act to provide for a revaluation of lands in Mecklenburg County for taxation purposes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 480, A bill to be entitled An act relating to official bonds of public officers in Gaston County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 512, A bill to be entitled An act to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 513, A bill to be entitled An act to amend section 2366 of the Consolidated Statutes, relating to breach of contract of tenant so as to include Pasquotank among the several other counties named in said section.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 522, A bill to be entitled An act to validate the acts of certain justices of the peace of Transylvania County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 128, A bill to be entitled An act to provide for unincorporated beneficial organizations, associations, and/or societies to sue and be sued in common name.

On motion of Mr. Murphy, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 130, A bill to be entitled an Act to amend Consolidated Statutes 6518, relating to insurance societies, so as to bring certain excluded societies within the purview of the insurance law.

On motion of Mr. Flanagan, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 172, A bill to be entitled An act to govern the introduction of confessions.

Committee Substitute fails of adoption.

The question now recurs upon the passage of the bill on its several readings.

The bill fails to pass its second reading.

Committee Substitute for:

H. B. 38, A bill to be entitled An act to repeal chapter 150 of the Private Laws of North Carolina, Session 1925, relating to the Charlotte Park and Recreation Commission.

Substitute adopted, and remains on the Calendar for its several readings.

H. B. 441, A bill to be entitled An act to amend the Charter of the City of Durham so as to extend the corporate limits of said city.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Co-

lumbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall, Woofin and Young—106.

Those voting in the negative are: None.

## SPECIAL ORDER

The hour for the Special Order having arrived, the Chair lays before the House for its consideration, H. B. 71, a bill to be entitled An act to reduce the salaries of the State Highway Commissioners and all State Highway employees receiving salaries above fifteen hundred dollars per annum.

On motion of Mr. Douglass, the discussion of the bill is postponed, and the bill is made a Special Order for Wednesday, February 22.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 193, An act to empower the Board of Commissioners of Burke County to reduce the salaries of county officers.

H. B. 136, An act to amend section 3484 of the Consolidated Statutes of North Carolina relating to railroad policemen.

H. B. 244, An act to amend section 2312 of the Consolidated Statutes exempting Macon County from the requirement of payment of taxes by jurors.

H. B. 274, An act to extend the time for payment of water and sewer assessments due to the Board of Water Commissioners of Hendersonville, North Carolina.

H. B. 288, An act to require the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

H. B. 291, An act to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County.

H. B. 292, An act to amend chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

H. B. 318, An act giving the Board of County Commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

H. B. 323, An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Caswell County to accept county vouchers in payment of taxes.

H. B. 325, An act to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of County Treasurer of Currituck County.

H. B. 363, An act amending Volume I, section 1389, of the Consolidated Statutes of North Carolina and Acts amendatory thereto relating to the financial agent for the County of Chatham.

H. B. 371, An act to provide further economy in collection of delinquent taxes in Brunswick County.

H. B. 373, An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Jones County to accept county vouchers in payment of taxes.

H. B. 471, An act to relieve church property in the Town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters.

H. B. 479, An act to amend chapter 273, of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County.

Mr. Ewing moves that H. B. 343, a bill to be entitled An act, to amend and add to sub-section 14, section 34, chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State; be recalled from the unfavorable Calendar, and placed on the Calendar.

Upon this question, Mr. Watson calls for the "ayes" and "noes." The call is sustained and the motion to take the bill from the unfavorable Calendar and place it on the favorable Calendar is carried by the following vote:

Those voting in the affirmative are: Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cover, Cowles, Crews, Culpepper, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Grant, Greene, Griffin, Haynes, Howell, Ingram, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, Oaks, O'Berry, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White, Woodall, Woodfin and Young—84.

Those voting in the negative are: Mr. Speaker, Messrs. Barden, Beasley, Berryman, Brawley, Cherry, Coffey, Cox, Doughton of Alleghany, Hoyle, James, Massenburg, Neal, Olive, Pope, Taylor of Halifax, Turner of Guilford and Womble—18.

On motion of Mr. Watson, the bill is made a Special Order for Monday night, February 20.

On motion of Mr. Womble, the House adjourns, and will meet tomorrow at 11:00 o'clock.

## THIRTY-NINTH DAY

House of Representatives, Friday, February 17, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. R. Freeman, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. W. C. Newland, former Lieutenant Governor of North Carolina; Mr. D. Mac Johnson of Halifax County, Mr. D. C. Barnes of Hertford County, and Mr. Loyd Lawrence of Hertford County, former Members of the House.

Leave of absence is granted to Messrs. Berryman, Smith, and Eaton.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Graham, for the Committee on Education:

H. B. 270, A bill to be entitled An act to amend chapter 307, Private Laws of 1905, amending the charter of the Lenoir-Rhyne College.

And.

H. B. 457, A bill to be entitled An act to amend section 5034 of the Consolidated Statutes as amended by chapter 74, Public Laws, Extra Session 1924, requiring children under sixteen to complete the sixth grade in school before leaving to go to work.

With favorable reports.

By Mr. Olive, for the Committee on Finance:

H. B. 578, A bill to be entitled An act to permit the Board of Commissioners of Jackson County to hypothecate certificates of tax sales held by that county and to delay foreclosure proceedings thereupon.

And.

H. B. 595, A bill to be entitled An act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the Sheriff.

And.

S. B. 179, A bill to be entitled An act to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon, and Swain counties.

And.

H. B. 587, A bill to be entitled An act relating to special assessments levied by the Town of Lincolnton.

And.

H. B. 579, A bill to be entitled An act authorizing the Board of County Commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township.

With favorable reports.

And,

H. B. 548, A bill to be entitled An act to authorize Hyde County to use certain funds to pay judgments.

With a favorable report.

And on motion of Mr. Davis, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

And,

H. B. 374, A bill to be entitled An act to amend chapter 427, section 153, of Public Laws of 1931, relating to license taxes of motor vehicle dealers. And,

H. B. 384, A bill to be entitled An act to amend section 150, Public Laws 1931, chapter 427, and section 139, Public Laws 1931, chapter 427, known

as the Revenue Act, and relating to license taxes for pressing clubs, dry cleaning plants, hat blockers and laundries.

And,

H. B. 316, A bill to be entitled An act to reduce the total cost of marriage license from five dollars to three dollars.

And,

H. B. 57, A bill to be entitled An act to amend chapter 428, Public Laws 1931, so as to make it a misdemeanor to evade taxes by spurious investments, and failure to list intangible property.

With unfavorable reports.

By Mr. Cherry, for the Committee on Roads:

H. B. 583, A bill to be entitled An act to amend section 21 of chapter 148 of the Public Laws of 1927, requiring drivers of motor vehicles to stop before entering main highways.

With a favorable report.

And,

H. B. 455, A bill to be entitled An act directing the Treasurer of the State and the State Highway Commission to take over and pay certain road bonds of the County of Bertie now outstanding and to relieve the tax-payers of said county of the burden thereof.

And

H. B. 456, A bill to be entitled An act directing the State Treasurer and North Carolina Highway Commission to pay to each of the counties of the State out of the funds appropriated and collected, for highway construction in said State and the State Treasurer and the prison authorities of the State Penitentiary and State's Farm, shall pay each to each county, in the State the sum of five dollars per month for each convict sentenced to work on said road or farms, or to the imprisonment in the State's Prison and who worked at labor outside of said prison.

With unfavorable reports.

By Mr. Hamilton, for the Committee on Propositions and Grievances:

S. B. 64, A bill to be entitled An act to amend section 1 of chapter 317 of the Public-Local Laws of 1931, being An act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday between the hours of ten a.m. and twelve p.m.

And,

S. B. 67, A bill to be entitled An act to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon counties.

And,

S. B. 201, A bill to be entitled An act to regulate public drunkenness in Haywood County by amending chapter 477, Public-Local Laws of 1931.

And,

H. R. 491, Joint resolution relating to the employment of married couples now employed by agencies of State Government.

And,

H. B. 275, A bill to be entitled An act to repeal chapter 15, Public-Local and Private Laws of 1923, being An act to prohibit the sale or use of fire-

works in Currituck and Cherokee counties in so far as the same applies to Cherokee County.

And.

H. B. 160. A bill to be entitled An act to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

And.

H. B. 218, A bill to be entitled An act to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of Prohibition Law in certain counties.

With favorable reports.

And.

H. B. 192, A bill to be entitled An act to forbid the employment by any State, county or municipal government of any woman whose husband has an income of more than one hundred and twenty-five dollars per month.

With an unfavorable report.

By Mr. Turner, of Guilford for the Committee on Judiciary No. 2:

H. B. 554, A bill to be entitled An act to empower the City Council of the City of Asheville and/or the City of Asheville to relieve all churches or religious bodies and all charitable associations of special assessments for sidewalk paving and assessments for opening and widening streets wherein such churches or religious bodies or charitable associations were included in the zone of benefits and damages.

And.

H. B. 559, A bill to be entitled An act to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

And.

H. B. 589, A bill to be entitled An act to amend chapter 147 of the Private Laws of 1907, being An act to amend and revise the charter of the Town of Waco, in Cleveland County.

With favorable reports.

And.

H. B. 591, A bill to be entitled An act to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County.

With a favorable report, as amended.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 420, A bill to be entitled An act to abolish the Corporation Commission and establish the office of Commissioner of Public Utilities.

With an unfavorable report as to the bill, favorable as to the Committee substitute.

On motion of Mr. Brawley, the Committee substitute is ordered printed.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Smith: H. B. 600, A bill to be entitled An act to repeal sections 7, 8, 9 and 10 of chapter 415, Public-Local Laws 1927, relating to salaries of the officers of Martin County.

Passed first reading.

Rules suspended.

Passes its second and third reading and ordered sent to Senate without Engrossment.

By Mr. Pope: H. B. 601, A bill to be entitled An act to submit to the qualified voters of North Carolina the question of the sale of light wines and beers provided the same shall have been legalized by Congress.

Referred to the Committee on Judiciary No. 1.

By Mr. Bender: H. B. 602, A bill to be entitled An act to amend section 840, Volume II, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

Referred to the Committee on Judiciary No. 1.

By Messrs. Griffin and Gardner: H. B. 603, A bill to be entitled An act to amend section 444 of the Consolidated Statutes fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

Referred to the Committee on Judiciary No. 2.

By Mr. Vann: H. B. 604, A bill to be entitled An act to authorize the Commissioners of the Town of Winton to appoint an agent or agents for the collection of taxes in said county.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Lumpkin: H. B. 605, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the Tax Collector and the expenses of the collection of taxes in Franklin County.

Referred to the Committee on Salaries and Fees.

By Mr. Thompson of Beaufort: H. B. 606, A bill to be entitled An act to amend section 4200 of the Consolidated Statutes of North Carolina, relating to capital crimes.

Referred to the Committee on Judiciary No. 2.

By Mr. Spruill: H. B. 607, A bill to be entitled An act denying the right of jury trial in the Superior Courts of Bertie County in criminal causes in cases appealed thereto from the General Court of said county in those cases in which a jury trial has been had in said General County Court, and providing that such appeals shall be heard on cases stated as now. provided in appeals from said county in civil causes.

Referred to the Committee on Courts and Judicial Districts.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 52, A bill to be entitled An act to amend chapter 42, Public Laws, Extra Session 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton.

Referred to the Committee on Counties, Cities and Towns.

S. B. 99, A bill to be entitled An act to amend chapter 124 of the Public Laws of North Carolina, Session 1927, governing the sale of land of life tenants for reinvestment and for improving other unimproved real estate.

Referred to the Committee on Judiciary No. 1.

S. B. 131, A bill to be entitled An act to validate certain sales of real and personal property made by sheriffs under execution.

Referred to the Committee on Finance.

S. B. 188, A bill to be entitled An act to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the Assistant Clerk and Deputy Clerk of the Superior Court of Alamance County.

On motion of Mr. Gilliam, the bill is placed upon its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

Committee Substitute for:

S. B. 97, A bill to be entitled An act to amend section 3890 of the Consolidated Statutes of North Carolina, and reducing the salaries of Solicitors of the Superior Court.

For concurrence in the Senate Amendment.

On motion of Mr. Allen, the House fails to concur in the Senate Amendment and asks for a conference.

The Speaker appoints as conferees on the part of the House, Messrs. Brawley, McEachern, and Taylor of Halifax, and the Senate is so notified.

H. B. 108, A bill to be entitled An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 265, A bill to be entitled An act to regulate certain fees of the courts and officers of the County of Harnett.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 348, A bill to be entitled An act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

Placed on the Calendar for concurrence in the Senate Amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Second Committee Substitute for:

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry.

Second Committee Substitute adopted.

An amendment offered by Mr. Garrou is adopted.

As amended, the second substitute bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill and first substitute are laid on the table.

S. B. 27, A bill to be entitled An act to amend the charter of the Town of Oxford, chapter 302, Private Laws of 1913, as amended.

Passes its second and third readings, and is ordered Enrolled.

S. B. 158, A bill to be entitled An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County.. Passes its second and third readings, and is ordered Enrolled.

S. B. 160, A bill to be entitled An act to amend chapter 532, Public-Local Laws of 1917, being "An act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said association."

Passes its second and third readings, and is ordered Enrolled.

H. B. 379, A bill to be entitled An act relative to the holding of elections in the County of Ashe.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 507, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 549, A bill to be entitled An act authorizing the County of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 560, A bill to be entitled An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the Recorder's Court of Lexington.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 215, A bill to be entitled An act to permit games of baseball to be played in the State between 1:30 and 6:30 p.m. on Sundays.

Mr. Beasley offers an amendment which is lost.

Mr. Vann offers an amendment which is adopted.

A Committee amendment is adopted.

The question recurs upon the passage of the bill as amended on its second reading. Upon this, Mr. Bender calls for the "ayes" and "noes." The call is sustained, and the bill, as amended, fails to pass its second reading by the following vote:

Those voting in the affirmative are: Messrs. Brawley, Cover, Crews, Edwards, Froneberger, Garibaldi, Garrou, Grant, Griffin, Hoyle, Hutchins, Mizzell, Neal, Newman, Oaks, Olive, Randolph, Scarborough, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thompson of Beaufort, Turner of Guilford and Young—25.

Those voting in the negatives are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berry-

man, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, English, Everett, Ewing, Falkner, Flanagan, Gardner, Gatling, Gilliam, Grady, Graeber, Graham, Greene, Greer, Groves, Hamilton, Haynes, Howell, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Mebane, Monroe, Moore, Morphew, Moss, Moye, McEachern, O'Berry, Phillips, Pope, Rouse, Sigmon, Smith, Sprinkle, Spruill, Taylor of Halifax, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—84.

Committee Substitute for:

H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

On motion of Mr. Wilson, the substitute bill is made a Special Order for Tuesday, February 21.

H. B. 217, A bill to be entitled An act to repeal section 1037 (e) of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants.

Passes its second reading, and remains on the Calendar.

Committee Substitute for:

H. B. 231, A bill to be entitled An act to amend section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the register of deeds of the home county of the bridegroom.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 441, A bill to be entitled An act to amend the Charter of the City of Durham so as to extend the corporate limits of said city.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany Douglass, Dowtin of Warren, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Morphew, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of

Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, and Young—106.

Those voting in the negative are: None.

Substitute for:

H. B. 38, A bill to be entitled An act to repeal chapter 150 of the Private Laws of North Carolina, session of 1925, relating to the Charlotte Park and Recreation Commission.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden. Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Morphew, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, and Young-106.

Those voting in the negative are: None

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 81, An act to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections.

H. B. 31, An act relating to the salaries of the county officers of Hertford County.

H. B. 46, An act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other kind of merchandising, as picture making or fortune telling during the three days session of the Upper Country Line Primitive Baptist Association within a distance closer than five hundred yards of said meeting.

H. B. 97, An act to regulate the selection of a county commissioner from each township in Hertford County.

H. B. 171, An act relating to the nomination and election of commissioners of Bladen County.

H. B. 296, An act to provide for the improvement of rural cemeteries in Alamance County.

- H. B. 190, An act to repeal the Absentee Ballot Law for Yancey County.
- H. B. 306, An act to amend section 2 of chapter 28 of the Public-Local Laws, Regular Session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay the Clerk of the Superior Court, etc.
- H. B. 376, An act to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the Recorder's Court of Monroe and Union County.
- H. B. 393, An act to repeal chapter 229, Public-Local Laws, Session of 1931, authorizing the Board of County Commissioners of Columbus County to appoint rural policeman for Columbus County.
- H. B. 392, An act to authorize the City of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the City of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.
- H. B. 462, An act to provide compensation to the members of the Board of Commissioners of the City of Hendersonville for their services.
- H. B. 496, An act authorizing the Board of Commissioners of Martin County to grant a Moratorium for two years in foreclosing deeds of trust and mortgages held in the sinking fund of the county.
- H. B. 535, An act to regulate salaries of the public officers of Northampton County.
- H. B. 481, An act to amend the Charter of the City of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort.

On motion of Mr. Graham, the House takes a recess until 7:30 o'clock tonight.

## NIGHT SESSION

Pursuant to recess, the House meets, and resumes consideration of its business with Mr. Speaker Harris presiding.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 134, A bill to be entitled An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

On motion of Mr. Martin, the bill is recommitted to the Committee on Judiciary No. 1.

S. B. 205, A bill to be entitled An act to amend Chapter 714 of the Public Laws of North Carolina, Session 1909, relating to the Alamance Battle Ground Company.

Passes its second and third readings, and is ordered Enrolled.

S. B. 17, A bill to be entitled An act relating to divorces.

An amendment offered by Mr. Johnson of Pender is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 100, A bill to be entitled An act to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work.

Passes its second and third readings, and is ordered Enrolled.

S. B. 127, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

Passes its second reading, and remains on the Calendar.

H. B. 268, A bill to be entitled An act to protect the health of mothers and infants and to regulate the practice of midwifery.

On motion of Mr. Womble, the bill is laid on the table.

H. B. 300, A bill to be entitled An act to amend section 765 of the Consolidated Statutes of North Carolina, allowing the Clerk of the Superior Court to force commissioners appointed by said Clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 389, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 407, A bill to be entitled An act to amend Section 1608 (u) of the Consolidated Statutes, relating to jury trials in the General County Court. Passes its second and third readings, and is ordered sent to the Senate

without Engrossment.

H. B. 408, A bill to be entitled An act to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the General County Court to the Superior Court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 409, A bill to be entitled An act to amend section 24 (d) of section 2, of chapter 85, Public Laws of 1924, same being An act to relieve congestion in court dockets and provide for the speedy trial of cases.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 410, A bill to be entitled An act to amend chapter 242, Public Laws 1925, relating to removal of causes from the General County Court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 499, A bill to be entitled An act to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of Acts of the General Assembly, and the employment of necessary assistance for that purpose.

An amendment offered by Mr. Watson is lost.

An amendment offered by Mr. Galloway is lost.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 500, A bill to be entitled An act to amend section 160 of the Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 503, A bill to be entitled An act amending section 93 of the Consolidated Statutes, by placing hospital bills in the second class in the payment of the debts of a decedent.

The bill fails to pass its second reading.

H. B. 545, A bill to be entitled An act to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 553, A bill to be entitled An act to amend section 205 of the Consolidated Statutes, relating to disbarment of attorneys at law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

#### SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER,

February 17, 1933.

SPEAKER, HOUSE OF REPRESENTATIVES.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate requests the return of Senate Bill No. 52, "To amend chapter 42, Public Laws, Extra Session 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton," for further consideration.

### Respectfully,

LEROY MARTIN, Principal Clerk.

It is so ordered, and the bill is returned to the Senate as requested.

On motion of Mr. Edwards, the House adjourns until 10:00 o'clock tomorrow.

## FORTIETH DAY

House of Representatives, Saturday, February 18, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. L. S. Gaines, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

Substitute for:

H. B. 251, A bill to be entitled An act to regulate the hours of labor in industry in Richmond County.

H. B. 379, A bill to be entitled An act relative to the holding of elections in the County of Ashe.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. B. 608, A bill to be entitled An act to appoint trustees for the Cooper Burial Ground in Caswell County.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 609, A bill to be entitled An act fixing the fees of the Justices of the Peace of Caswell County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 610, A bill to be entitled An act to regulate the hunting of foxes in Caswell County.

Referred to the Committee on Game.

And,

H. B. 611, A bill to be entitled An act to place Mrs. Jessie R. Long, widow of J. R. Long, a Confederate Veteran, on the Pension Roll.

Referred to the Committee on Pensions.

By Mr. Brock (by request): H. B. 612, A bill to be entitled An act to regulate legal advertisement and printing in North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. Doughton: H. B. 613, A bill to be entitled An act to fix and determine the salary or compensation of the Sheriff of Alleghany County and other officers thereof.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Rouse: H. B. 614, A bill to be entitled An act to provide for the election of Aldermen of the City of Kinston.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Culpepper: H. B. 615, A bill to be entitled An act to limit the pay of jurors in Pasquotank County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

## MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 119, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes relating to the tax on dogs.

Referred to the Committee on Finance.

S. B. 169, A bill to be entitled An act for the relief of H. E. Roberts.

Referred to the Committee on Judiciary No. 2.

S. B. 222, A bill to be entitled An act to amend chapter 93, of the 1921 Public Laws, relating to the payment to the Clerk of the Superior Court of sums of money, not exceeding \$300, due and owing to persons dying intestate.

Referred to the Committee on Judiciary No. 1.

H. R. 539, Joint resolution endorsing the Honorable Mrs. Lilly Morehead Mebane as Ambassador to the Court of Sweden.

Placed on the Calendar for concurrence in the Senate Amendment.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 160, A bill to be entitled An act to repeal chapter 38 of the Public Local Laws of 1929, relating to the capture of stills in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 270, A bill to be entitled An act to amend chapter 307, Private Laws of 1905, amending the Charter of Lenoir-Rhyne College.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 275, A bill to be entitled An act to repeal chapter 15 of the Public-Local and Private Laws of 1923, being An act to prohibit the sale or use of fireworks in Currituck and Cherokee counties, in so far as the same applies to Cherokee County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 554, A bill to be entitled An act to empower the City Council of the City of Asheville and/or the City of Asheville to relieve all churches or religious bodies and all charitable associations of special assessments for sidewalk paving and assessments for opening and widening streets wherein such churches or religious bodies or charitable associations were included in the zone of benefits and damages.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 587, A bill to be entitled An act relating to special assessments levied by the Town of Lincolnton.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 579, A bill to be entitled An act authorizing the Board of County Commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 578, A bill to be entitled An act to permit the Board of Commissioners of Jackson County to hypothecate certificates of tax sales held by that county, and to delay foreclosure proceedings thereupon.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 589, A bill to be entitled An act to amend Chapter 147 of the Private Laws of 1907, being An act to amend and revise the Charter of the Town of Waco, in Cleveland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 591, A bill to be entitled An act to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 595, A bill to be entitled An act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the Sheriff.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 67, A bill to be entitled An act to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 109, A bill to be entitled An act to amend section 6054 of the Consolidated Statutes placing Randolph County under the operation of the State-wide Primary Law.

Passes its second and third readings, and is ordered Enrolled.

S. B. 201, A bill to be entitled An act to regulate public drunkenness in Haywood County by amending chapter 477, Public-Local Laws of 1931.

Passes its second and third readings, and is ordered Enrolled.

On motion of Mr. Wilson, the House adjourns, and will meet Monday night at 8:00 o'clock.

# FORTY-FIRST DAY

House of Representatives, Monday Night, February 20, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. W. Gilliam of Alamance County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. R. B. Davis of Edgecombe County, and Mr. C. W. Higgins of Alleghany County, former Members of the House.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Flanagan, for the Committee on Penal Institutions:

H. B. 432, A bill to be entitled An act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

With unfavorable report as to bill; favorable as to Committee substitute.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 300, A bill to be entitled An act to amend Section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the Clerk of the Superior Court to force Commissioners appointed by said Clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said Commissioner or Commissioners.

H. B. 389, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

H. B. 591, A bill to be entitled An act to validate the official acts of Mrs. Rosa McNeill Jones, a Notary Public, and Mrs. Irene Dimmette Barker, a Notary Public, both of Wilkes County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Bowie: H. B. 616, A bill to be entitled An act to place the names of certain veterans and widows of Ashe County on the Pension Roll.

Referred to the Committee on Pensions.

By Mr. Young: H. B. 617, A bill to be entitled An act to amend chapter 72 of Public Laws of 1931, relating to the granting of divorces in certain cases

Referred to the Committee on Judiciary No. 1.

By Mr. Martin: H. B. 618, A bill to be entitled An act to authorize the Board of Commissioners of Buncombe County to refund certain license taxes erroneously collected.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to the Senate without Engrossment.

By Mr. Morphew: H. B. 619, A bill to be entitled An act to provide for an election on what shall constitute a lawful fence in Graham County. Referred to the Committee on Election Laws.

And.

H. B. 620, A bill to be entitled An act to permit the Commissioners of Graham County to purchase an automobile for use of said County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 621, A bill to be entitled An act to provide a pension for Mrs. A. H. Campbell of Graham County, widow of A. H. Campbell, a Confederate Veteran.

Referred to the Committee on Pensions.

By Mr. Gardner: H. B. 622, A bill to be entitled An act to provide for trials in the Recorder's Court of Cleveland County, sitting at Kings Mountain.

Referred to the Committee on Judiciary No. 2.

And

H. B. 623, A bill to be entitled An act to amend chapter 489, Public-Local Laws of 1929, exempting Cleveland County from the Real Estate Commission Law.

Referred to the Committee on Judiciary No. 2.

By Mr. Aycock of Wake, by request: H. B. 624, A bill to be entitled An act to make uniform the law of sales of goods.

Referred to the Committee on Judiciary No. 1.

By Mr. Sullivan: H. B. 625, A bill to be entitled An act to amend chapter 121, Private Laws, 1931, the same being An act to incorporate the City of Asheville, to define its corporate limits, to provide for its government, and for other purposes, by amending Article 4, section 31, in so far as the same applies to the Solicitor of the Police Court, in so far as the same attempts to define his duties.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 626, A bill to be entitled An act to amend chapter 125, Private Laws, 1931, pertaining to the authority of the governing bodies of the City of Asheville, in so far as the same applies to the Police and Fire Departments.

Referred to the Committee on Judiciary No. 2.

And

H. B. 627, A bill to be entitled An act to amend chapter 186, Private Laws, 1931, being "An act to amend Senate Bill No. 395, being the Charter

of the City of Asheville," pertaining to the reduction of the salaries of Councilmen and other employees.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 628, A bill to be entitled An act to amend Article 120, chapter 121, Private Laws, 1931, the same being "An act to incorporate the City of Asheville, to define its corporate limits, to provide for its governments and for other purposes pertaining to initiative, referendum and recall."

Referred to the Committee on Judiciary No. 2.

By Mr. Moore: H. B. 629, A bill to be entitled An act to amend chapter 430, Private Laws, 1911, and chapter 651, Public Laws, 1909, pertaining to the Municipal Court of Greensboro, North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

On motion of Mr. Moore, the vote by which the bill passed its third reading is reconsidered, and on motion of Mr. Moore, the bill is referred to the Committee on Judiciary No. 2.

By Mr. Taylor of Mecklenburg: H. B. 630, A bill to be entitled An act to regulate the fees of the various Justices of the Peace of Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Cover: H. B. 631, A bill to be entitled An act to better protect the revenues and public funds of Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Griffin: H. B. 632, A bill to be entitled An act, authorizing the Board of Aldermen of the Town of Forest City to exempt all church property in the Town of Forest City from street and sidewalk paving assessments now levied and assessed against same.

Referred to the Committee on Finance.

By Mr. Brock: H. B. 633, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Davie County from the Absentee Voters Law.

Referred to the Committee on Election Laws.

By Mr. Scarborough: H. B. 634, A bill to be entitled An act to regulate the employment of male persons in industry.

Referred to the Committee on Manufacturing and Labor.

By Mr. Sprinkle: H. B. 635, A bill to be entitled An act to regulate the hunting of foxes and/or other wild animals in Madison County.

Referred to the Committee on Game.

And,

H. B. 636, A bill to be entiled An act to amend chapter 183 of the Public-Local Laws of 1931, being An act to create a county Sinking Fund Commission for Madison County, and provide the duties thereof, requiring the Chairman of the Sinking Fund Commission to give bond, and the Chairman of the Board of County Commissioners to sign vouchers.

Referred to the Committee on Finance.

By Mr. English, by request: H. B. 637, A bill to be entitled An act to encourage perfect attendance in the public schools of North Carolina.

Referred to the Committee on Education.

By Messrs. Massenburg and Pope: H. B. 638, A bill to be entitled An act to repeal the Absentee Voting Laws in the primaries.

Referred to the Committee on Election Laws.

By Mr. Vann: H. B. 639, A bill to be entitled An act to provide for redemption of real estate purchased by Hertford County and towns therein, and for the extension of time within which to pay delinquent taxes.

Referred to the Committee on Finance.

By Messrs. Allen, Massenburg, Watson, James and Warlick: H. B. 640, A bill to be entitled An act to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof, and additional thereto; and chapter 145, Public Laws, 1931, and all acts amendatory thereof; and chapter 130 of the Consolidated Statutes, and all acts amendatory thereof and additional thereto, and to provide for the consolidation of the State Prison Department and the State Highway Commission into a single department to be known as the Department of Roads and Public Works Commission.

Referred to the Committee on Roads.

By Mr. Crews: H. B. 641, A bill to be entitled An act to protect persons using roads, streets and highways from injuries and/or damages due to accidents caused by the negligent operation of State, county and municipally owned vehicles.

Referred to the Committee on Roads.

And.

H. B. 642, A bill to be entitled An act to require Clerks of Superior Courts to order guardians and/or trustees to render sufficient and satisfactory accounts.

Referred to the Committee on Judiciary No. 1.

And

H. B. 643, A bill to be entitled An act regulating the qualifications of any person who executes a criminal bond.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 644, A bill to be entitled An act to regulate appeals in civil cases from Justice of Peace Courts.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 645, A bill to be entitled An act to authorize Clerks of Superior Courts to determine and allow attorneys' fees wherein real property is sold by administrators, executors or commissioners in any judicial or special proceeding.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 646, A bill to be entitled An act to authorize Clerks of the Superior Courts to accept resignation of administrators, executors and collectors in certain cases.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 647, A bill to be entitled An act to regulate the sale of real property by executors, administrators or commissioners in any judicial or special proceeding.

Referred to the Committee on Judiciary No. 1.

By Mr. Ray: H. B. 648, A bill to be entitled An act to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

Referred to the Committe on Courts and Judicial Districts.

And.

H. B. 649, A bill to be entitled An act to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months Grand Jury in Henderson County.

Referred to the Committee on Courts and Judicial Districts.

And.

H. B. 650, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

Referred to the Committee on Judiciary No. 1.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 65, A bill to be entitled An act to exempt Wilkes and Yadkin counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 181, A bill to be entitled An act to amend chapter 86, Public Laws of North Carolina, Session 1925, the same being An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executors or collectors.

Referred to the Committee on Judiciary No. 1.

S. B. 191, A bill to be entitled An act to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death.

Referred to the Committee on Judiciary No. 1.

S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, Session 1931.

Referred to the Committee on Judiciary No. 1.

### SPECIAL ORDER

The hour for the Special Order having arrived, the Chair lays before the House for its consideration H. B. 343, A bill to be entitled An act to amend and add to sub-section 14, section 34 chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

On motion of Mr. Ewing, consideration of the bill is postponed, and the bill is made a special order for Monday night, February 27.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 218, A bill to be entitled An act to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of prohibition law in certain counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 64, An bill to be entitled An act to amend section 1 of chapter 317 of the Public-Local Laws, 1931, being "An act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday between the hours of ten a.m. and twelve p.m."

Passes its second and third readings, and is ordered Enrolled.

Senate Committee Substitute for:

H. B. 108, A bill to be entitled An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.

For adoption of the Senate Substitute.

On motion of Mr. Ingram, the Senate Substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House bill is laid on the Table.

H. R. 539, Joint resolution endorsing the Honorable Mrs. Lily Morehead Mebane as Ambassador to the Court of Sweden.

For concurrence in the Senate Amendment.

On motion of Mr. Turner of Guilford, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 265, A bill to be entitled An act to regulate certain fees of the courts and officers of the County of Harnett.

For concurrence in the Senate Amendment.

On motion of Mr. Young, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 348, A bill to be entitled An act to prohibit the County of Ashe, or any incorporated town or municipality therein, from incurring any additional bonded indebtedness.

Placed on the Calendar for concurrence in the Senate Amendment.

Committee Substitute for:

H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked State Highways through the cities and towns.

Substitute adopted.

Mr. Moore offers an amendment which is adopted.

As amended, the Substitute bill passes its second reading, and remains on the Calendar.

H. B. 431, A bill to be entitled An act to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 519, A bill to be entitled An act to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

The Committee Amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 127, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 117, A bill to be entitled An act amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax district and providing that the same shall apply to Rowan County.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 179, A bill to be entitled An act to amend chapter 83 of the Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain counties.

Passes its second and third readings, and is ordered Enrolled.

H. B. 583, A bill to be entitled An act to amend section 21 of chapter 148 of the Public Laws of 1927, requiring drivers of motor vehicles to stop before entering main highways.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 85, A bill to be entitled An act to amend chapter 119, Public Laws, 1929, chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendments.

Committee Substitute for:

H. B. 38, A bill to be entitled An act to repeal chapter 150 of the Private Laws of North Carolina, Session of 1925, relating to the Charlotte Park and Recreation Commission.

Passes its third reading by the following vote, and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James,

Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—112.

Those voting in the negative are: None.

The original bill is laid on the Table.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 27, An act to amend the Charter of the Town of Oxford, chapter 302, Private Laws of 1913, as amended.
- S. B. 100, An act to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work.
- S. B. 158, An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County.
- S. B. 160, An act to amend chapter 532, Public-Local Laws of 1917, being "An act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said Association."
- S. B. 188, An act to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the Assistant Clerk and Deputy Clerk of the Superior Court of Alamance County.
- S. B. 205, An act to amend chapter 714 of the Public Laws of North Carolina, Session 1909, relating to the Alamance Battle Ground Company.
- H. B. 96, An act to amend section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases tried in Hertford County.
- H. R. 116, A joint resolution requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that the Congress balance its budget without further increase in the tax levies.
- H. B. 181, An act to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either Civil or Criminal Courts of Guilford County.
- H. B. 259, An act to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.
- H. B. 186, An act for the relief of ex-Sheriff C. E. Moxley of Yadkin County.
- S. B. 67, An act to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon counties.
- S. B. 109, An act to amend section 6054 of the Consolidated Statutes placing Randolph County under the operation of the State-wide Primary Law.

S. B. 201, An act to regulate public drunkenness in Haywood County by amending chapter 477, Public-Local Laws of 1931.

On motion of Mr. Groves, the House adjourns, and will meet tomorrow at eleven o'clock a.m.

## FORTY-SECOND DAY

House of Representatives, Tuesday, February 21, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. John S. Davis of Warren County; Mr. William Cox of Pitt County, former Members of the House.

## REPORT OF SPECIAL COMMITTEE

In compliance with H. R. 357, A joint resolution for the purpose of examining into the various Departments of the State Government, as to salaries paid all officers and employees; the Joint Committee submits three reports to the House, Numbers 1 and 2 being read and referred to the Committee on Appropriations, Number 3 being read and referred to the Committee on Judiciary No. 1.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 431, A bill to be entitled An act to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property.

H. B. 519, A bill to be entitled An act to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Brock: H. B. 651, A bill to be entitled An act for the relief of Roy G. Walker, ex-Sheriff of Davie County, authorizing the collection of back taxes due said Sheriff.

Referred to the Committee on Finance.

By Mr. Taylor of Mecklenburg: H. B. 652, A bill to be entitled An act to regulate the leasing of storage batteries.

Referred to the Committee on Judiciary No. 1.

By Mr. Ewing: H. B. 653, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Cumberland County.

Referred to the Committee on Finance.

By Mr. Ledford: H. B. 654, A bill to be entitled An act to amend House Bill 190, being "An act to repeal the Absentee Ballot Law for Yancey County," so as to add Clay County to its provisions.

Referred to the Committee on Election Laws.

By Mr. Everett: H. B. 655, A bill to be entitled An act to establish the Department of Justice and to prescribe and define the duties thereof.

Referred to the Committee on Reorganization of State Government. And,

H. B. 656, A bill to be entitled An act to permit the fishing with more than one hook, line and pole, but not more than six, at the same time in the water courses of Durham County.

Referred to the Committee on Conservation and Development.

By Mr. Allen: H. B. 657, A bill to be entitled An act amending chapter 102, Public-Local Laws of 1919 as amended, relating to the salaries of the officers of Granville County.

Referred to the Committee on Salaries and Fees.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 192, A bill to be entitled. An act to permit debtors seeking equitable relief to avail themselves of the Statutes pertaining to usury.

Referred to the Committee on Judiciary No. 1.

H. B. 184, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Scotland Neck.

For concurrence in the Senate Amendment.

On motion of Mr. Taylor of Halifax, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

# SPECIAL ORDER

The hour for the Special Order having arrived, the Chair lays before the House, for its consideration, substitute for H. B. 158, a bill to be entitled An act, setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

The substitute having been adopted, the question now recurs upon the passage of the substitute bill on its several readings.

Messrs. Bowie, Boyd, Taylor of Mecklenburg, Arndt, Moye, Falkner, Cameron, Aycock of Wayne, Davis, and Douglass, offer a substitute for the substitute, and upon its adoption Mr. Bowie calls for the "ayes" and "noes." The call is sustained, and the substitute offered by Mr. Bowie, and others, fails of adoption by the following vote.

Those voting in the affirmative are: Messrs. Arndt, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Cover, Cowles, Crews, Davis, Dees, Douglass, Eaton, Ewing, Falkner, Galloway, Gardner, Garibaldi, Gatlin, Grady, Grant,

Howell, Hutchins, Ingram, Johnson of Chatham, Ledford, Phillips, Pope, Sigmon, Spruill, Taylor of Mecklenburg, Tompkins, Turner of Iredell, Williams, Woodall and Woodfin—37.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Boswell, Brown, Cherry, Coffey, Cox, Culpepper, Doughton of Allegheny, Dowtin of Warren, Eagles, Edwards, English, Etheridge, Everett, Flanagan, Garrou, Gilliam, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Johnson of Pender, Lee, Lumpkin, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, McEachern, Neal, Oaks, O'Berry, Olive, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Sullivan, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Vann, Warlick, White, Wilson, Womble and Young—66.

The question now recurs upon the passage of the substitute bill on its second reading. Upon this Mr. Thompson of Columbus calls for the "ayes" and "noes." The call is sustained, and the substitute bill passes its second reading by the following vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brock, Brown, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Flanagan, Froneberger, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Tatem, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall and Young—92.

Those voting in the negative are: Messrs. Bowie, Boyd, Davis, Falkner, Galloway, Ingram, Ledford, Sigmon and Williams—9.

The question now recurs upon the passage of the substitute bill on its third reading.

Mr. Wilson offers an amendment, which is adopted.

Mr. Scarborough offers an amendment, which is adopted.

Messrs. Rouse, Spruill, Taylor of Currituck, Makepeace and Cameron offer an amendment, which is lost.

The question now recurs upon the passage of substitute bill, as amended, on its third reading.

As amended, the substitute bill passes its third reading, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the Table.

On motion of Mr. Gardner, the House adjourns and will meet tomorrow at 11:00 o'clock.

# FORTY-THIRD DAY

House of Representatives, Wednesday, February 22, 1933

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. R. Shuler of Garner, N. C.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Robert N. Page of Moore County, former Member of the House.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 293, A bill to be entitled An act to amend the law relating to the Recorder's Court for the County of Brunswick.

And.

H. B. 649, A bill to be entitled An act to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months Grand Jury in Henderson County.

And.

H. B. 351, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of Court for Swain County.

H. B. 514, A bill to be entitled An act to amend chapter 167, Public Laws, 1929, relating to the Courts of Pasquotank County.

And.

H. B. 430, A bill to be entitled An act to amend section 1443, Volume III, Consolidated Statutes, relating to terms of Court in Union County.

And

S. B. 142, A bill to be entitled An act to amend chapter 208 of the Public Laws, 1929, amending section 1443 of the Consolidated Statutes, relating to terms of Court of Johnston County.

And,

S. B. 65, A bill to be entitled An act to exempt Wilkes and Yadkin counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.

And

S. B. 74, A bill to be entitled An act relating to terms of Superior Court in Bladen County.

And.

H. B. 566, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the holding of Courts in the Western Division, Eleventh District, so as to fix the terms of Court for Forsyth County.

And.

H. B. 565, A bill to be entitled An act to amend chapter 520 of the Public-Local Laws of 1915, being An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court, and the amendments thereto, relating to terms of Court.

And.

H. B. 330, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, relating to the Courts in Jackson County.

And.

H. B. 648, A bill to be entitled An act to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

And.

H. B. 573, A bill to be entitled An act regulating the jurisdiction of the Superior Courts of Scotland County.

And.

H. B. 287, A bill to be entitled An act to amend chapter 115 of the Public-Local Laws of 1913, entitled An act to establish a Criminal Court to be called a Criminal Court for the County of Scotland.

And.

H. B. 383, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, as amended, relating to terms of Court in Tyrrell County.

And.

S. B. 34, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the Courts of Cabarrus County.

And,

S. B. 61, A bill to be entitled An act to amend the law in regard to the General County Court of Alamance County.

With favorable reports.

H. B. 588, A bill to be entitled An act to repeal chapter 17, chapter 116 and chapter 126 of the Public Laws of the session of 1929, relating to the establishment of Recorder's Court in Burke County, and to repeal chapters 426 and 494 of session of 1931, relating to General County Courts in Burke County.

With unfavorable report as to bill; favorable as to substitute.

By Mr. Cherry, for the Committee on Roads:

H. B. 641, A bill to be entitled An act to protect persons using roads, streets and highways from injuries and/or damages due to accidents caused by the negligent operation of State, county and municipally owned vehicles.

And,

H. B. 444, A bill to be entitled An act to facilitate and expedite the discontinuance of the collection of tolls for the use of the bridge across the lower Chowan River between the Counties of Chowan and Bertie.

With unfavorable reports.

And,

S. B. 114, A bill to be entitled An act to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

And.

H. B. 640, A bill to be entitled An act to amend chapter 2, Public Laws of 1921, and all Acts amendatory thereof and additional thereto; and chapter 145, Public Laws, 1931, and all acts amendatory thereof; and chapter 130 of the Consolidated Statutes and all acts amendatory thereof and additional thereto; and to provide the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Department of Roads and Public Works Commission.

With favorable reports.

By Mr. Hamilton, for the Committee on Propositions and Grievances.

H. B. 346, A bill to be entitled An act to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the County of Ashe and the County of Wilkes.

With a favorable report.

And.

Committee Substitute for:

H. B. 475, A bill to be entitled An act to prohibit State institutions from engaging in the retail business.

With unfavorable report as to bill; favorable as to the Committee substitute.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 128, A bill to be entitled An act to provide for unincorporated, beneficial organizations, associations and/or societies to sue and be sued in common name.

With a favorable report, as amended.

And,

H. B. 603, A bill to be entitled An act to amend section 444 of the Consolidated Statutes fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

And.

H. B. 623, A bill to be entitled An act to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the Real Estate Commission Law.

And.

H. B. 622, A bill to be entitled An act to provide for jury trials in the Recorder's Court of Cleveland County, sitting at Kings Mountain.

And.

H. B. 606, A bill to be entitled An act to amend section 4200 of the Consolidated Statutes of North Carolina, relating to capital crimes.

And.

H. B. 581, A bill to be entitled An act to fix the fees to be collected by the Clerk of the Superior Court of Jackson County.

And.

H. B. 580, A bill to be entitled An act to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County.

And,

S. B. 139, A bill to be entitled An act to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, Part Two, Plan "B" relating to municipal corporations.

With favorable reports.

And,

H. B. 130, A bill to be entitled An act to amend Consolidated Statutes 6518, relating to insurance societies, so as to bring certain excluded societies within the purview of the Insurance Law.

With unfavorable report.

By Mr. Bowie, for the Committee on Election Laws:

H. B. 469, A bill to be entitled An act to amend and re-write certain sections of chapter 97, Consolidated Statutes, and of other acts amendatory of and supplemental thereto, relating to the laws governing primaries and elections. With an unfavorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 504, A bill to be entitled An act to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the Town of Windsor in Bertie County.

And.

H. B. 572, A bill to be entitled An act amending chapter 381 of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the County of Scotland.

And,

H. B. 620, A bill to be entitled An act to permit the Commissioners of Graham County to purchase an automobile for use of said County.

And.

H. B. 593, A bill to be entitled An act providing for the appointment of a special deputy sheriff for the Village of Caraleigh, Raleigh Township.

And.

H. B. 561, A bill to be entitled An act to repeal chapter 45 of the Public Laws of 1929, An act to amend article 7 of chapter 71, sections 3903, 3906, 3908, Consolidated Statutes of North Carolina as to Halifax County.

With favorable reports.

And.

S. B. 151, A bill to be entitled An act to establish the office of public cotton weigher for Township One of Edgecombe County.

With a favorable report.

On motion of Mr. Eagles, the rules are suspended, and the bill is placed on its immediate passage.

Passes its second and third readings and is ordered Enrolled.

By Mr. Johnson of Chatham, for the Committee on Federal Relations:

H. R. 493, A joint resolution of the General Assembly of North Carolina providing for and requiring and calling upon the Veterans Administration in Washington, D. C., to furnish to the House of Representatives and the Senate of the State of North Carolina a list showing the names and amounts of com-

pensation in whatever form received by citizens of the State of North Carolina from the Federal Government.

And.

S. R. 209, A joint resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States tariff imposed on imported fruits and vetgetables into the United States. With unfavorable reports.

By Mr. McEachern, for the Committee on Agriculture:

H. B. 426, A bill to be entitled An act to authorize the County Commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

With unfavorable report as to bill; favorable report as to Committee substitute.

And.

H. B. 501, A bill to be entitled An act relating to the duties of the State Farm Demonstration Agent in Northampton County.

And,

S. B. 178, A bill to be entitled An act to amend chapter 299 of the Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.

With favorable reports.

By Mr. Makepeace, for the Committee on Game:

H. B. 83, A bill to be entitled An act to amend chapter 351 of the Public Laws of 1931, relating to non-resident fishing license in Graham County.

With an unfavorable report as to bill; favorable report as to Committee substitute.

And.

H. B. 435, A bill to be entitled An act, relating to hunting wild hogs, raccoon and opossum in Graham County.

With a favorable report.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

Committee substitute for:

H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Grant: H. B. 658, A bill to be entitled An act to abolish the wholetime duties and reduce the salary of the Chairman of the Board of County Commissioners of New Hanover County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 659, A bill to be entitled An act to abolish the office of Farm Demonstration Agent for New Hanover County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Wilson, Monroe, Sullivan, Johnson of Chatham, Olive, O'Berry, Graham, Thompson of Columbus and Thompson of Robeson: H. B. 660, A bill to be entitled An act to require the fees for which the county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

Referred to the Committee on Finance.

By Mr. Smith: H. B. 661, A bill to be entitled An act to eliminate certain conflicts in the motor vehicle laws and to place certain violations of the Motor Vehicle Law within the jurisdiction of a justice of the peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 230 of the Public Laws of 1927.

Referred to the Committee on Judiciary No. 1.

By Mr. Grady: H. B. 662, A bill to be entitled An act to amend section 3243 of the Consolidated Statutes, relative to sales.

Referred to the Committee on Judiciary No. 2.

By Mr. Martin, by request: H. B. 663, A bill to be entitled An act to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the Courts of Justices of the Peace of Buncombe County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 664, A bill to be entitled An act to amend chapter 124, Public Laws, 1931, known as the Uniform Criminal Extradition Act.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 665, A bill to be entitled An act to secure the attendance of witnesses from without the State in criminal cases.

Referred to the Committee on Judiciary No. 1.

By Mr. Gilliam: H. B. 666, A bill to be entitled An act to conserve confiscated liquors to be used for medicinal purposes.

Referred to the Committee on Propositions and Grievances.

By Mr. Sullivan, by request: H. B. 667, A bill to be entitled An act to provide for the protection of the health of workmen from poisonous and dangerous gases, fumes, etc., and to regulate the use of paint spraying machines.

Referred to the Committee on Health.

By Mr. Olive, by request: H. B. 668, A bill to be entitled An act to exempt residents of Davidson County from buying hunting licenses under certain conditions.

Referred to the Committee on Game.

By Mr. Hutchins: H. B. 669, A bill to be entitled An act to amend chapter 168 of the Public-Local Laws, session of 1931, being "An act to create a Jury Commission for the County of Yancey."

Referred to the Committee on Judiciary No. 1.

By Mr. Beasley: H. B. 670, A bill to be entitled An act to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County.

Referred to the Committee on Judiciary No. 1.

And

H. B. 671, A bill to be entitled An act to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 672, A bill to be entitled An act for the relief of W. C. Rape.

Referred to the Committee on Judiciary No. 2.

By Mr. Phillips, by request: H. B. 673, A bill to be entitled An act to permit fishing for carp and catfish at any time in Stokes County.

Referred to the Committee on Conservation and Development.

By Mr. Edwards: H. B. 674, A bill to be entitled An act to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agent when license has been withdrawn by Commissioners of Insurance.

Referred to the Committee on Judiciary No. 2.

By Mr. Thompson of Beaufort: H. B. 675, A bill to be entitled An act to amend chapter 34 of the Public Laws of 1929, providing for the sterilization of the mentally defective and feeble-minded inmates of charitable and penal institutions of the State of North Carolina.

Referred to the Committee on Judiciary No. 2.

By Messrs. Hoyle, Moore and Turner of Guilford: H. B. 676, A bill to be entitled An act to amend chapter 427 of the Public-Local Laws of 1927, relating to the salary of the Chairman of the Board of County Commissioners of Guilford County.

Referred to the Committee on Salaries and Fees.

By Messrs. Hoyle and Turner of Guilford: H. B. 677, A bill to be entitled An act to abolish the office of Tax Collector for the County of Guilford, and consolidate the same with the office of the Sheriff.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Hoyle, Turner of Guilford and Moore: H. B. 678, A bill to be entitled An act to consolidate the office of County Attorney and the office of Assistant Solicitor and to make the office herein provided for elective.

Referred to the Committee on Judiciary No. 2.

By Mr. Dees, by request: H. B. 679, A bill to be entitled An act to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

Referred to the Committee on Salaries and Fees.

By Mr. Crews, by request: H. B. 680, A bill to be entitled An act to protect persons, firms and corporations from hazards arising from defective painting and decorating on the part of contractors.

Referred to the Committee on Judiciary No. 2.

By Mr. Scarborough: H. B. 681, A bill to be entitled An act to regulate the salaries of special help of the Budget Bureau, being an amendment to Public Laws of 1929, chapter 100, section 21.

Referred to the Committee on Appropriations.

And,

H. B. 682, A bill to be entitled An act to shorten the hours of toil of women in industry by amending chapter 289 of the Public Laws of 1931.

Referred to the Committee on Manufacturing and Labor.

By Mr. Howell: H. B. 683, A bill to be entitled An act to amend section 3908 of the Consolidated Statutes relating to fees of sheriffs.

Referred to the Committee on Salaries and Fees.

And,

H. B. 684, A bill to be entitled An act to authorize the Commissioners of Haywood County to appoint a Tax Supervisor and to prescribe his duties and fix his salary.

Referred to the Committee on Counties, Cities and Towns.

## MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 135, A bill to beentitled An act relating to foreclosures of mortgages or deeds of trust in Macon County.

Referred to the Committee on Judiciary No. 2.

S. B. 234, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship.

Referred to the Committee on Judiciary No. 1.

S. R. 250, Joint resolution designating the State Laboratory of Hygiene Building as "The Clarence A. Shore State Laboratory of Hygiene Building."

On motion of Dr. Lee, the bill is placed on its immediate passage.

Passed its first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

S. B. 252, A bill to be entitled An act to close a road and certain streets on the campus of Harris High School at Spruce Pine, N. C.

Referred to the Committee on Roads.

# SPECIAL MESSAGE

Mr. Speaker:

February 21, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that pursuant to your notice to the effect that the House of Representatives has failed to concur in the Senate Amendment to H. B. 97 to amend section 3830, Consolidated Statutes of North Carolina, and reducing the salaries of Solicitors of the Superior Courts, and giving notice of the appointment of conferees thereon, the President has appointed, as conferees on the part of the Senate to consider the differences arising on this bill, Senators Moore and Hartsell.

LEROY MARTIN,

Principal Clerk of Senate.

### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration H. B. 71, A bill to be entitled An act to reduce the salaries of the State Highway Commissioners and all State Highway employees, receiving salaries above fifteen hundred dollars per annum.

The question now recurs upon the passage of the bill on its second reading. Upon this, Dr. Douglass calls for the "ayes" and "noes." The call is sustained, and the bill passes its second reading by the following vote:

The voting in the affirmative are: Messrs. Arndt, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Brock, Brown, Cameron, Cover, Cowles, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Griffin, Haynes, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Makepeace, Martin, Mizzell, Monroe, Moore, Moye, Oaks, Phillips, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Watson, White, Williams, Woodall, and Woodfin—70.

Those voting in the negative are: Messrs. Aycock of Wake, Cherry, Cox, Etheridge, Flanagan, Groves, Hutchins, James, Massenburg, Mebane, Morphew, Murphy, Neal, Newman, O'Berry, Olive, Pope, Randolph, Ray, Smith, Tatem, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford and Womble—26.

The question now recurs upon the passage of the bill on its third reading. Upon this, Dr. Douglass calls for the "ayes" and "noes." The call is sustained, and the bill passes its third reading by the following vote, and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Brock, Brown, Cameron, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Falkner, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Ledford, Lee, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Moye, Oaks, Phillips, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Vann, Watson, White, Williams, Woodall, Woodfin, and Young—74.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Brawley, Cherry, Coffey, Cox, Flanagan, Garrou, Groves, Hutchins, James, Martin, Mebane, Morphew, Murphy, Neal, Newman, O'Berry, Olive, Pope, Randolph, Ray, Smith, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guliford, Wilson and Womble—29.

Mr. Bowie makes a motion that the vote by which the bill passed its third reading be reconsidered, and that this motion do lie upon the Table.

It is so ordered.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 217, A bill to be entitled An act to repeal section 1037 (e) of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants.

The bill having passed its second reading, the question now recurs upon the passage of the bill on its third reading.

Mr. Turner of Guilford offers an amendment which is adopted.

Mr. Flanagan offers an amendment which is adopted.

The question now recurs upon the passage of the bill as amended on its third reading.

The bill, as amended, passes its third reading, and is ordered Engrossed and sent to the Senate.

Committee substitute for:

H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked State highways through the cities and towns.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the table.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 17, An act relating to divorces.
- S. B. 64, An act to amend section 1 of chapter 317 of the Public-Local Laws of 1931, being An act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday, between the hours of 10:00 a.m. and 12:00 p.m.
- S. B. 179. An act to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain counties.
- H. B. 108, An act to provide for the election of the Chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.
- H. B. 157, An act to amend chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars.
- H. B. 183, An act to adjust certain assessments for street improvements in the Town of Scotland Neck.
- H. B. 184, An act relating to the payment of assessments for street improvements in the Town of Scotland Neck.
  - H. B. 203, An act relative to the drawing of Grand Jurors in Wake County.
- H. B. 265, An act to regulate certain fees of the courts and officers of the County of Harnett.

- H. B. 443, An act to authorize the Commissioners of Greene County to appoint a Tax Collector and fix his compensation.
- H. R. 539, Joint resolution endorsing the Honorable Mrs. Lily Morehead Mebane, as Minister to the Court of Sweden.
- H. B. 548, An act to authorize Hyde County to use certain funds to pay judgments.
- Mr. Aycock of Wake makes a motion that when the House adjourns, it do so honoring the memory of George Washington, this being the anniversary of his birth. It is so ordered, and on motion of Mr. Doughton, the House adjourns and will meet tomorrow at twelve o'clock noon.

## FORTY-FOURTH DAY

House of Representatives, Thursday, February 23, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. M. A. Barber of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Miss Elizabeth Murphy, daughter of Representative Murphy of Rowan County, and Mr. George Uzzle of Rowan County, former Member of the House.

The Speaker appoints Chandler Smith, son of Representative Smith of Martin County, an honorary page of the House.

## COMMITTEE REPORTS

Bills and resolutions are reported from Standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 473, A bill to be entitled An act to regulate the departmental service, office hours, leaves of absence and extra compensation.

With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

And.

H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

With unfavorable reports as to bills; favorable as to the Committee substitutes.

And,

S. B. 222, A bill to be entitled An act to amend chapted 93 of the 1931 Public Laws, relating to the payment to the Clerk of the Superior Court of sums of money, not exceeding \$300.00 due and owing to persons dying intestate.

And.

S. B. 211, A bill to be entitled An act to incorporate Hubert M. Smith Post, No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said Post.

And.

S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, session 1931.

And.

H. B. 650, A bill to be entitled An act to amend Chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

And

H. B. 585, A bill to be entitled An act to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public Laws of 1931, relative to delinquent taxpayers in Crayen County, and to re-enact the same as amended.

And.

H. B. 669, A bill to be entitled An act to amend chapter 168 of the Public-Local Laws, session of 1931, being "An act to create a Jury Commission for the County of Yancey."

And.

H. B. 670, A bill to be entitled An act to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County.

And.

H. B. 602, A bill to be entitled An act to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

And.

H. B. 261, A bill to be entitled An act to promote the better enforcement of the Prohibition Laws and the Eighteenth Amendment.

And.

H. B. 586, A bill to be entitled An act relating to tax levies for Craven County for the years 1932, 1933, and 1934.

With favorable reports.

And,

H. B. 280, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes of North Carolina, Public Laws of 1919, and amendments thereto, relative to upset bids in foreclosure proceedings.

And,

H. B. 419, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes of North Carolina, relating to foreclosures.

And.

H. B. 563, A bill to be entitled An act providing for a court fund in all criminal causes in the General County Court of Bertie County.

And.

H. B. 177, A bill to be entitled An act to allow comparative damages in jury trials where contributory negligence is pleaded.

With unfavorable reports.

And

H. B. 599, A bill to be entitled An act to establish a consolidated governing body for the City of Wilmington and the County of New Hanover.

Bill reported without prejudice.

By Mr. Makepeace, for the Committee on Finance:

H. B. 632, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Forest City to exempt all church property in the Town of Forest City from street and sidewalk paving assessments now levied and assessed against same.

And,

S. B. 131, A bill to be entitled An act to validate certain sales of real and personal property made by sheriffs under execution.

And.

H. B. 531, A bill to be entitled An act to authorize and empower the Town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.

With favorable reports.

And.

S. B. 119, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

And,

H. B. 35, A bill to be entitled An act amending chapter 60, Public Laws, 1931, relating to the establishment of a Local Government Commission.

And,

H. R. 576, Joint resolution requesting the Federal Government to make an appropriation for schools and other purposes to the several states of one-half of the taxes now levied on manufactured tobacco and its products.

With unfavorable reports.

By Mr. Bowie, for the Committee on Election Laws:

S. B. 182, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Randolph County from the Absentee Voters' Law.

With a favorable report.

# ENGROSSED BILLS

Mr. Taylor of Currituck, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 217, A bill to be entitled An act to repeal sub-section 1037 (e) of section 1, of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can con-

struct or operate a public utility system or plant in competition with other public utilities and plants.

On motion of Mr. Barden, the order sending the bill to the Senate is rescinded.

On motion of Mr. Flanagan, the vote by which the bill passed its third reading is reconsidered, and the bill is placed on the Calendar for further consideration by the House.

Committee substitute for:

H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked State highways through the cities and towns.

On motion of Mr. Morphew, the order sending the bill to the Senate is rescinded.

On motion of Mr. Morphew, the vote by which the bill passed its third reading is reconsidered; and the bill is placed on the Calendar for further consideration by the House.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Beasley: H. B. 685, A bill to be entitled An act to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of deputy sheriffs in Union County.

Referred to the Committee on Counties, Cities and Towns.

And

H. B. 686, A bill to be entitled An act to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of tax collector of Union County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 687, A bill to be entitled An act to amend chapter 82, Public-Local Laws of 1931, relating to the salary of the County Accountant of Union County.

Referred to the Committee on Salaries and Fees.

And

By Mrs. Mebane: H. B. 688, A bill to be entitled An act providing for an open season for taking game in Rockingham County.

Referred to the Committee on Game.

By Mr. Everett: H. B. 689, A bill to be entitled An act to grant license to practice pharmacy in North Carolina to P. B. Hardee.

Referred to the Committee on Health.

By Mr. Gardner: H. B. 690, A bill to be entitled An act to amend chapter 194 of the Private Laws of North Carolina, session 1901, so as to fix the date on which the officers of the City of Shelby will take their office.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 691, A bill to be entitled An act to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the City of Shelby, North Carolina.

Referred to the Committee on Judiciary No. 2.

By Mr. Froneberger: H. B. 692, A bill to be entitled An act to amend chapter 351, Private Laws of 1913, relative to the charter of the Town of Dallas, North Carolina, providing for a change in the date of election of Mayor and Board of Aldermen of said Town, and providing for an annual audit.

Referred to the Committee on Judiciary No. 2.

By Mr. Ruark: H. B. 693, A bill to be entitled An act to amend Consolidated Statutes 6055, sub-section (a26), and Consolidated Statutes 6055, sub-section (a27) as applicable to holding general elections in Brunswick County.

Referred to the Committee on Election Laws.

And.

H. B. 694, A bill to be entitled An act relating to the Municipal County Court of Lenoir County.

Referred to the Committee on Courts and Judicial Districts.

H. B. 695, A bill to be entitled An act requiring clerks of the Superior Court to give notice to legatees and devisees.

Referred to the Committee on Judiciary No. 2.

By Mr. Davis: H. B. 696, A bill to be entitled An act to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake, in Hyde County.

Referred to the Committee on Drainage.

By Mr. Ingram: H. B. 697, A bill to be entitled An act to authorize the Tax Collector of Macon County, and his successors, to collect back taxes in Macon County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Taylor of Currituck: H. B. 698, A bill to be entitled An act to amend chapter 431, Public-Local Laws of 1927, and chapter 234, Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County, and providing for election of game commissioners.

Referred to the Committee on Game.

And,

H. B. 699, A bill to be entitled An act to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

Referred to the Committee on Game.

By Mr. Braddy: H. B. 700, A bill to be entitled An act to regulate the speed of boats on White Lake in Bladen County.

Referred to the Committee on Commerce.

And,

H. B. 701, A bill to be entitled An act to validate the sale of land for taxes held in Bladen County on the first Monday in October, 1931.

Referred to the Committee on Finance.

By Mr. Thompson of Columbus: H. B. 702, A bill to be entitled An act to amend chapter 147, Public Laws of 1927, relative to horse-drawn vehicles on highways.

Referred to the Committee on Roads.

By Messrs. Pope and Massenburg: H. B. 703, A bill to be entitled An act to amend the Constitution, article II, section 4, relating to districting the State for Senators.

Referred to the Committee on Constitutional Amendments.

By Mr. Pope: H. B. 704, A bill to be entitled An act to amend chapter 206, Public-Local Laws of Extra Session of 1920, providing compensation for cotton weigher at Enfield.

Referred to the Committee on Salaries and Fees.

By Mr. Cameron: H. B. 705, A bill to be entitled An act to validate sale of real estate for non-payment of 1931 taxes by Moore County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 706, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from provision for payment for damages done by dogs.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 707, A bill to be entitled An act to amend section 3401, Consolidated Statutes of North Carolina, and section 3411 (x), Volume III, of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections.

Referred to the Committee on Propositions and Grievances.

By Mr. Culpepper: H. B. 708, A bill to be entitled An act to relieve depression in North Carolina by declaring a two-year moratorium on open accounts due and owing in North Carolina.

Referred to the Committee on Finance.

By Mr. Sullivan: H. B. 709, A bill to be entitled An act providing for an official court reporter for the Superior Court of Buncombe County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Galloway: H. B. 710, A bill to be entitled An act to regulate the handling of school books in North Carolina.

Referred to the Committee on Education.

And.

H. B. 711, A bill to be entitled An act to regulate the fluctuations in the price of gasoline.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 712, A bill to be entitled An act declaring women eligible for jury duty in North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. Woodfin: H. B. 713, A bill to be entitled An act fixing the salaries and fees of the officers of Alexander County, abolishing the office of Tax Collector and the Recorder's Court of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Johnson of Pender: H. B. 714, A bill to be entitled An act to provide for the payment of property taxes in the several counties of the State in installments.

Referred to the Committee on Finance.

#### SENATE MESSAGES

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

Senate substitute for:

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being An act regulating the issuance of license to marry and providing for the physical examination of applicants.

Placed on the Calendar for adoption of the Senate Substitute.

S. B. 245, A bill to be entitled An act relating to the general fund of Rutherford County.

On motion of Mr. Griffin, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Mr. Speaker:

Passes second and third readings and ordered Enrolled.

S. B. 259, A bill to be entitled An act to amend section 27 of chapter 51 of the Public Laws of 1927, relative to fox hunting in Northampton County.

Referred to the Committee on Game.

S. B. 260, A bill to be entitled An act to repeal chapter 176 of the Public-Local Laws of 1927, relative to the sale of fireworks or other explosives in Vance County.

Referred to the Committee on Propositions and Grievances.

S. B. 261, A bill to be entitled An act to amend chapter 158 of the Public-Local Laws of 1911 and chapter 353 of the Public-Local Laws of 1931, relative to the Recorder's Court in Vance County.

Referred to the Committee on Courts and Judicial Districts.

### SPECIAL MESSAGE

SENATE CHAMBER,

February 22, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate requests the return of H. B. 348, "To prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness," for further consideration.

Respectfully,

LEROY MARTIN, Principal Clark.

On motion of Mr. Bowie, the bill is returned to the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 287, A bill to be entitled An act to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a criminal court to be called a Criminal Court for the County of Scotland.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 293, A bill to be entitled An act to amend the law relating to the Recorder's Court for the County of Brunswick.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 346, A bill to be entitled An act to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the County of Ashe and the County of Wilkes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 330, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, Volume III, relating to the Courts of Jackson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 351, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Swain County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 383, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes as amended, relating to terms of court in Tyrrell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 426, A bill to be entitled An act to authorize the County Commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 430, A bill to be entitled An act to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 435, A bill to be entitled An act relating to hunting wild hogs, raccoon and opossum in Graham County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 501, A bill to be entitled An act relating to the duties of the State Farm Demonstration Agent in Northampton County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 565, A bill to be entitled An act to amend Chapter 520 of the Public-Local Laws of 1915, being An Act to establish a Special Court for Forsyth County with civil jurisdiction to be known as Forsyth County Court, and the amendments thereto, relating to terms of court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 566, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 572, A bill to be entitled An act amending chapter 381 of the Public-Local Laws of North Carolina, Session 1923, providing for the appointment of financial agents for the County of Scotland.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 573, A bill to be entitled An act regulating the jurisdiction of the Superior Courts of Scotland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 580, A bill to be entitled An act to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 581, A bill to be entitled An act to fix the fees to be collected by the Clerk of the Superior Court of Jackson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 593, A bill to be entitled An act providing for the appointment of a Special Deputy Sheriff for the Village of Caraleigh, Raleigh Township.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 620, A bill to be entitled An act to permit the Commissioners of Graham County to purchase an automobile for use of said County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 622, A bill to be entitled An act to provide for jury trials in the Recorder's Court of Cleveland County, sitting at Kings Mountain.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 623, A bill to be entitled An act to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the Real Estate Commission Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 216, A bill to be entitled An act to repeal State-wide Primary Law. On motion of Mr. Murphy, the bill and Committee substitute are recommitted to the Committee on Election Laws.

Committee substitute for:

H. B. 83, A bill to be entitled An act to amend chapter 351 of the Public Laws of 1931, relating to nonresident fishing license in Graham County. Substitute adopted.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 128, A bill to be entitled An act to provide for unincorporated beneficial organizations, associations and/or societies to sue and be sued in common name.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 34, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 61, A bill to be entitled An act to amend the law in regard to the General County Court of Alamance County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 65, A bill to be entitled An act to exempt Wilkes and Yadkin counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 74, A bill to be entitled An act relating to terms of Superior Court in Bladen County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 361, A bill to be entitled An act to amend chapter 120 of the Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

An amendment offered by Mr. Womble is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

An amendment offered by Mr. Gardner is lost.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Committee Substitute for:

H. B. 420, A bill to be entitled An act to abolish the Corporation Commission and establish the office of Commissioner of Public Utilities.

Substitute adopted, and on motion of Mr. Cherry, consideration of the substitute is postponed until next Tuesday, February 28.

Committee Substitute for:

H. B. 432, A bill to be entitled An act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

Substitute adopted.

An amendment offered by Mr. Beasley is adopted.

As amended, the substitute bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the Table.

H. B. 504, A bill to be entitled An act to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the Town of Windsor in Bertie County.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beam, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, McEachern, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Rourk, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, and Young-105. Those voting in the negative are: none.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 151, An act to establish the office of Public Cotton Weigher for Township One of Edgecombe County.

S. R. 250, A joint resolution designating the State Laboratory of Hygiene Building as "The Clarence A. Shore State Laboratory of Hygiene Building."

H. B. 441, An act to amend the Charter of the City of Durham so as to extend the corporate limits of said City.

On motion of Mr. Doughton, the House adjourns, and will meet tomorrow at 12:00 o'clock.

## FORTY-FIFTH DAY

House of Representatives, Friday, February 24, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. T. S. Clarkson of Smithfield, N. C.

Mr. Aycock of Wayne, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Bryan Bolick of Forsyth County, Mr. W. C. Feimster of Catawba County and Mr. Charles U. Harris of Wake County, former Members of the House.

The Speaker appoints Miss Martha Moss, daughter of Representative Moss from Nash County, and Graham A. Barden, Jr., son of Representative Barden of Craven County, as Honorary Pages of the House.

### PETITIONS AND MEMORIALS

Petitions and Memorials are presented, read and referred to the appropriate Committees.

#### CONFERENCE REPORT

To the Senate and House of Representatives:

Your Conference Committee having under advisement House Committee Substitute for Senate Bill 97, and Senate Amendment thereto, relating to salaries of Solicitors of the Superior Court, hereby recommend that both Houses pass, in lieu of said substitute bill and amendment, the following:

Section 1. That chapter 157 of the Public Laws of North Carolina, 1923, be and the same is hereby amended by striking out all of section 1 and inserting in lieu thereof the following: "That the several Solicitors of the Judicial Districts of the State of North Carolina shall each receive, as full compensation for their services as Solicitor, the sum of three thousand nine hundred dollars (\$3,900.00) per annum, to be paid in equal monthly installments out of the State Treasury upon warrants duly drawn thereon, which said salary shall be paid in lieu of all fees or other compensation."

Section 2. That section 2 of chapter 157 of the Public Laws of North Carolina, 1923, be and the same is hereby repealed.

Section 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

Section 4. That this act shall be in force from and after its ratification.

# Respectfully submitted,

L. T. HARTSELL, JR.,
L. I. MOORE,
Conferees of the Senate.
LAURIE MCEACHERN,
F. M. TAYLOR,
S. C. BRAWLEY,
Conferees of the House.

The Conferees' report is adopted, and the Senate is so notified.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mrs. Mebane, for the Committee on Public Welfare:

H. B. 433, A bill to be entitled An act relating to election of the County Superintendent of Public Welfare in Graham County.

With unfavorable report as to bill; favorable as to the Committee substitute. And,

H. B. 411, A bill to be entitled An act requiring the Store-room Keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

And.

H. B. 509, A bill to be entitled An act to save the homes of distressed people in North Carolina.

With favorable reports.

And

H. R. 582, Joint resolution setting aside the week of March 5-11, 1933, as National Business Women's Week.

With a favorable report.

On motion of Mrs. Mebane, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hoyle, for the Committee on Judiciary No. 2:

S. B. 135, A bill to be entitled An act relating to foreclosures of mortgages or deeds of trust in Macon County.

And,

H. B. 695, A bill to be entitled An act requiring Clerks of the Superior Courts to give notice to legatees and devisees.

And.

H. B. 608, A bill to be entitled An act to appoint trustees for the Cooper Burial Ground in Caswell County.

And,

H. B. 674, A bill to be entitled An act to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance.

And,

H. B. 690, A bill to be entitled An act to amend chapter 194 of the Private Laws of North Carolina, Session 1901, so as to fix the date on which the officers of the City of Shelby will take their office.

And,

H. B. 691, A bill to be entitled An act to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the City of Shelby, North Carolina.

And,

H. B. 675, A bill to be entitled An act to amend chapter 34 of Public Laws of 1929, providing for the sterilization of the mentally defective and feeble-minded inmates of charitable and penal institutions of the State of North Carolina.

And,

H. B. 625, A bill to be entitled An act to amend chapter 121, Private Laws, 1931, the same being "An act to incorporate the City of Asheville, to define

its corporate limits, to provide for its government and for other purposes," by amending article 4, section 31, in so far as the same applies to the Solicitor of the Police Court in so far as the same attempts to define his duties.

And,

H. B. 692, A bill to be entitled An act to amend chapter 341, Private Laws of 1913, relative to the charter of the Town of Dallas, North Carolina, providing for a change in the date of election of Mayor and Board of Aldermen of said Town and providing for an annual audit.

And.

H. B. 626, A bill to be entitled An act to amend chapter 125, Private Laws, 1913, pertaining to the authority of the governing bodies of the City of Asheville in so far as the same applies to the Police and Fire Department.

And

H. B. 672, A bill to be entitled An act for the relief of W. C. Rape. With favorable reports.

By Mr. Young, for the Committee on Courts and Judicial Districts.

H. B. 694, A bill to be entitled An act relating to the Municipal County Court of Lenoir County.

With a favorable report.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 655, A bill to be entitled An act to establish the Department of Justic and to prescribe and define the duties thereof.

With unfavorable report as to original bill; favorable as to Committee substitute.

On motion of Mr. Everett, the Committee substitute is ordered printed.

By Mr. Gattis, for the Committee on Health:

H. B. 667, A bill to be entitled An act to provide for the protection of the health of workmen from poisonous and dangerous gases, fumes, etc., and to regulate the use of paint spraying machines.

And,

H. B. 332, A bill to be entitled An act for the relief of H. E. Roberts in the practice of pharmacy.

With unfavorable reports.

And.

H. B. 598, A bill to be entitled An act to provide for the inspection of the watershed area of the Municipal Water Supply of the City of Durham.

With a favorable report.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 575, A bill to be entitled An act regulating the compensation of the public officers of Scotland County.

And,

H. B. 571, A bill to be entitled An act repealing chapter 183 of the Public-Local Laws of North Carolina, Extra Session of 1924, and regulating the fees of the Clerk of the Superior Court of Scotland County.

And,

H. B. 704, A bill to be entitled An act to amend chapter 206, Public-Local Laws of Extra Session of 1920, providing compensation for cotton weigher at Enfield.

And,

H. B. 676, A bill to be entitled An act to amend chapter 427 of the Public-Local Laws of 1927, relating to the salary of the Chairman of the Board of County Commissioners of Guilford County.

And.

H. B. 687, A bill to be entitled An act to amend chapter 82, Public-Local Laws of 1931, relating to the salary of the County Accountant of Union County.

And.

H. B. 679, A bill to be entitled An act to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County. And,

H. B. 663, A bill to be entitled An act to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the courts of the Justices of the Peace of Buncombe County.

And

H. B. 683, A bill to be entitled An act to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.

And,

H. B. 584, A bill to be entitled An act to reduce the salary of the Mayor of the City of New Bern.

And,

H. B. 605, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the Tax Collector and the expense of the collection of taxes in Franklin County.

With favorable reports.

And

H. B. 574, A bill to be entitled An act regulating the payment of costs in the Criminal Court of Scotland County.

With an unfavorable report.

And.

H. B. 449, A bill to be entitled An act to fix fees for recording agricultural liens in Beaufort County.

With unfavorable report as to bill; favorable report as to Committee substitute.

And,

H. B. 505, A bill to be entitled An act to fix the salaries of the officers of Bladen County.

With unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Johnson of Chatham, for the Committee on Federal Relations:

H. R. 463, Joint Resolution requesting the Senators and Representatives in Congress from North Carolina to secure the enactment of a tariff on jute products.

With an unfavorable report.

### ENGROSSED BILLS

Mr. Dees, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 128, A bill to be entitled An act to provide for unincorporated beneficial organizations, associations and/or societies to sue and/or be sued in common name.

H. B. 361, A bill to be entitled An act to amend chapter 120 of Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

H. B. 432, A bill to be entitled An act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Spruill: H. B. 715, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Aulander, North Carolina.

Referred to the Committee on Finance.

By Mr. Ruark: H. B. 716, A bill to be entitled An act to extend the time for tax sales in Brunswick County and the City of Southport.

Referred to the Committee on Finance.

By Mr. Young, by request: H. B. 717, A bill to be entitled An act to amend section 220 (r) of Volume III of the Consolidated Statutes, relating to the establishment of branch banks.

Referred to the Committee on Banks and Banking.

By Mr. Etheridge: H. B. 718, A bill to be entitled An act to create the North Carolina Roanoke Colony Commission, for the purpose of arranging for the celebration in 1934 of the 350th Anniversary of the birth on Roanoke Island of English speaking civilization in America.

Referred to the Committee on Appropriations.

By Mr. Gardner: H. B. 719, A bill to be entitled An act to amend the Charter of the Town of Kings Mountain, North Carolina.

Referred to the Committee on Judiciary No. 2.

By Mr. Makepeace: H. B. 720, A bill to be entitled An act to amend chapter 198, being An act to provide licenses for the artificial propagation of fish in North Carolina, Public Laws, Session 1929.

Referred to the Committee on Game.

By Mr. Makepeace: H. B. 721, A bill to be entitled An act to prohibit the sale of black bass.

Referred to the Committee on Game.

By Mr. Oaks: H. B. 722, A bill to be entitled An act to amend section 1443, Volume III of the Consolidated Statutes relating to the courts in Avery County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Randolph: H. B. 723, A bill to be entitled An act relating to road district bonds heretofore issued by Swain Road District in Swain County, and township road bonds heretofore issued by Forney's Creek Township in Swain County.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Boswell, Eagles, Taylor of Halifax and Aycock of Wayne: H. R. 724, Joint resolution requesting the Senators and Representatives in Congress from North Carolina to secure the enactment of a tariff on jute, sisal and bear grass products.

Referred to the Committee on Agriculture.

By Mr. Galloway: H. B. 725, A bill to be entitled An act pertaining to a minimum charge for electric current where same is metered to user.

Referred to the Committee on Regulation of Public Service Corporations.

By Mr. Neal: H. B. 726, A bill to be entitled An act relating to payment of township highway bonds in McDowell County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cowles, by request: H. B. 727, A bill to be entitled An act to place Mrs. C. L. Cook, Mrs. Susie McLean and Mrs. Phroney Brown, widows of Confederate Veterans, all of Wilkes County, on the Pension Roll.

Referred to the Committee on Pensions.

By Mr. Ruark: H. B. 728, A bill to be entitled An act applying to the collection of taxes in Brunswick County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Barden: H. B. 729, A bill to be entitled An act to abolish the Absentee Ballot Law in primaries.

Referred to the Committee on Election Laws.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 96, A bill to be entitled An act to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of the Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Referred to the Committee on Roads.

S. B. 138, A bill to be entitled An act to prohibit the sale of convict-made goods.

Referred to the Committee on Judiciary No. 2.

S. B. 210, A bill to be entitled An act to confer the civil jurisdiction upon the County Recorder's Court of Watauga County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 227, A bill to be entitled An act to repeal the Absentee Ballot Law for Mitchell County.

Referred to the Committee on Election Laws.

S. B. 246, A bill to be entitled An act increasing the number of Commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said Commissioners.

On motion of Mr. Griffin, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 266, A bill to be entitled An act to validate the official acts of T. F. Jarman, a Justice of the Peace of Indian Springs Township, Wayne County. On motion of Mr. O'Berry, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 560, A bill to be entitled An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the Recorder's Court of Lexington.

For concurrence in the Senate Amendment.

On motion of Mr. Olive, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGES

Mr. Speaker:

February 24, 1933.

It is ordered that a message be sent to your Honorable Body with the information that the Senate has adopted the conference report as submitted by the conferees appointed to adjust the differences arising between the Senate and House of Representatives on S. B. 97 to amend section 3890 of the Consolidated Statutes of North Carolina, and reducing the salaries of Solicitors of the Superior Court.

And, having received notice that similar action has been taken by your body, transmits this information in order that the bill may be Enrolled for ratification.

> LEROY MARTIN, Clerk of Senate.

The House having adopted a similar report, the bill is ordered Enrolled.

Mr. Speaker:

February 23, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. No. 85, "To amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law," and requests a conference thereon. The President has appointed as conferees on the part of the Senate, Senators Aiken and Bland.

## Respectfully,

LEROY MARTIN, Clerk of Senate.

Upon receipt of the above information, the Speaker appoints as conferees on the part of the House, Messrs. Froneberger, Hoyle and Arndt.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 531, A bill to be entitled An act to authorize and empower the Town of East Flat Rock, Henderson County, to sell its delinquent tax list for year 1930.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 599, A bill to be entitled An act to establish a consolidated governing body for the City of Wilmington and the County of New Hanover.

An amendment offered by Mr. Newman is lost.

The bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 669, A bill to be entitled An act to amend chapter 168 of the Public-Local Laws, Session of 1931, being "An act to create a Jury Commission for the County of Yancey."

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 182, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Randolph County from the Absentee Voters' Law.

Passes its second and third readings, and is ordered Enrolled.

S. B. 211, A bill to be entitled An act to incorporate Hubert M. Smith Post, No. 77, American Legion, Hendersonville, N. C., for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said Post.

Passes its second and third readings, and is ordered Enrolled.

Senate Substitute for:

H. B. 15, A bill to be entitled An act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry, and providing for the physical examination of applicants."

For adoption of the Senate Substitute.

On motion of Mr. Brawley, the House fails to adopt the Senate Substitute, and asks for a conference.

The Speaker appoints as conferees on the part of the House, Messrs. Wilson, White and Lee, and the Senate is so notified.

H. B. 217, A bill to be entitled An act to repeal sub-section 1037 (e) of section 1 of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants.

Mr. Flanagan offers an amendment which is adopted.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

Mr. Bowie makes a motion that the vote by which the bill passed its third reading be reconsidered, and that this motion do lie upon the Table.

It is so ordered.

S. B. 24, A bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town.

Mr. Crews moves consideration of his motion made on January 27, that the vote by which this bill failed to pass on its second reading be reconsidered. The motion prevails, and the vote by which the bill failed to pass on its second reading is reconsidered, and on motion of Mr. Crews, the bill is placed upon the Calendar for immediate consideration.

The question now recurs upon the passage of the bill on its second reading. Upon this, Mr. Allen calls for the "ayes" and "noes." The call is sustained, and the bill passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Bender, Boswell, Boyd, Brawley, Brock, Brown, Cameron, Cherry, Cowles, Cox, Crews, Doughton of Alleghany, Douglass, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Gardner, Garibaldi, Garrou, Gattis, Graeber, Greene, Greer, Hoyle, Hutchins, Ingram, James, Johnson of Pender, Lumpkin, Mizzell, Monroe, Moore, Murphy, McLauchlin, Neal, Oaks, Phillips, Randolph, Rouse, Sigmon, Smith, Sprinkle, Spruill, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Turner of Iredell, Warlick, Watson, Wilson, Woodall and Young—59.

Those voting in the negative are: Messrs. Allen, Aycock of Wake, Aycock of Wayne, Beasley, Berryman, Binford, Braddy, Cover, Culpepper, Davis, Dees, Eagles, Eaton, Edwards, Galloway, Gatling, Gilliam, Grady, Graham, Griffin, Groves, Hamilton, Haynes, Howell, Johnson of Chatham, Lee, Makepeace, Martin, Mebane, Moss, Moye, McEachern, Newman, O'Berry, Olive, Pope, Ray, Scarborough, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, White, Williams and Womble—47.

H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment.

On motion of Mr. Hamilton, the bill is made a Special Order, Tuesday, February 28.

H. B. 504, A bill to be entitled An act to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the Town of Windsor in Bertie County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, McLauchlin, Neal,

Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randoph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson. Woodall, Woodfin and Young—111.

Those voting in the negative are: None.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 34, An act to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

S. B. 61, An act to amend the law in regard to the General County Court of Alamance County.

S. B. 65, An act to exempt Wilkes and Yadkin counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.

S. B. 74, An act relating to terms of Superior Court in Bladen County.

S. B. 245, An act relating to the General Fund of Rutherford County.

H. B. 337, An act amending chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

H. B. 348, An act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

H. B. 614, An act to provide for the election of Aldermen of the City of Kinston.

On motion of Mr. Young, the House takes a recess until eight o'clock tonight.

### NIGHT SESSION

FRIDAY, February 24, 1933.

Pursuant to recess, the House meets with Mr. Speaker Harris presiding, and resumes consideration of business.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Hoyle, for the Committee on Judiciary No. 2:

S. B. 138, A bill to be entitled An act to prohibit the sale of convict-made goods.

With a favorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 686, A bill to be entitled An act to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of Tax Collector of Union County.

And. H. B. 684, A bill to be entitled An act to authorize the Commissioners of Haywood County to appoint a Tax Supervisor and to prescribe his duties and fix his salary.

And.

H. B. 697, A bill to be entitled An act to authorize the Tax Collector of Macon County and his successors to collect back taxes in Macon County.

And,

H. B. 726, A bill to be entitled An act relating to payment of Township Highway Bonds in McDowell County.

And,

H. B. 723, A bill to be entitled An act relating to Road District Bonds heretofore issued by Swain Road District in Swain County, and Township Road Bonds heretofore issued by Forney's Creek Township in Swain County.

And,

H. B. 671, A bill to be entitled An act to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County.

And,

H. B. 685, A bill to be entitled An act to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of Deputy Sheriffs in Union County.

With favorable reports.

#### ENGROSSED BILLS

Mr. Ray, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 217, A bill to be entitled An act to repeal sub-section 1037 (e) of section 1 of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a publicity utility system or plant in competition with other public utilities and plants.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. O'Berry and Aycock of Wayne: H. B. 730, A bill to be entitled An act to permit hunting and fishing without license in Wayne County by the owner of lands and streams upon his own lands and streams, and by persons permitted to do so by the owners.

Referred to the Committee on Game.

By Messrs. Thompson of Beaufort and Mizzell: H. B. 731, A bill to be entitled An act to facilitate the sale and consumption of North Carolina farm products.

Referred to the Committee on Agriculture.

And.

H. B. 732, A bill to be entitled An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make

possible the Turn Pike Road connecting the settlements in Washington County and Beaufort County.

Referred to the Committee on Roads.

By Mr. Sprinkle: H. B. 733, A bill to be entitled An act to amend chapter 94, Public-Local Laws of 1931, relating to duties of the Board of Education of Madison County.

Referred to the Committee on Education.

By Mr. Braddy, by request: H. B. 734, A bill to be entitled An act to regulate huckleberry dealers in Bladen County.

Referred to the Committee on Commerce.

By Mr. Braddy: H. B. 735, A bill to be entitled An act relating to tax revaluation in Bladen County.

Referred to the Committee on Finance.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 670, A bill to be entitled An act to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 131, A bill to be entitled An act to validate certain sales of real and personal property made by sheriffs under execution.

Passes its second and third readings, and is ordered Enrolled.

S. B. 139, A bill to be entitled An act to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, Part 2, Plan B, relating to municipal corporations.

Passes its second and third readings, and is ordered Enrolled.

S. B. 142, A bill to be entitled An act to amend chapter 208 of the Public Laws of 1929, amending section 1443 of the Consolidated Statutes, relating to terms of court of Johnston County.

Passes is second and third readings, and is ordered Enrolled.

H. B. 603, A bill to be entitled An act to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 648, A bill to be entitled An act to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 649, A bill to be entitled An act to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months Grand Jury in Henderson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 650, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks, so as to place Henderson County under the provisions thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 449, A bill to be entitled An act to fix the fees for recording agricultural liens in Beaufort County.

Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

Committee Substitute for:

H. B. 505, A bill to be entitled An act to fix the salaries of the officers of Bladen County.

Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 571, A bill to be entitled An act repealing chapter 183 of the Public-Local Laws of North Carolina, Extra Session of 1924, and regulating the fees of the Clerk of the Superior Court of Scotland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 584, A bill to be entitled An act to reduce the salary of the Mayor of the City of New Bern.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 605, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the Tax Collector and the expense of the collection of taxes in Franklin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 608, A bill to be entitled An act to appoint trustees for the Cooper Burial Ground in Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 632, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Forest City to exempt all church property in the Town of Forest City from street and sidewalk paving assessments now levied and assessed against same.

On motion of Mr. Griffin, the bill is recommitted to the Committee on Finance.

H. B. 690, A bill to be entitled An act to amend chapter 194 of the Private Laws of North Carolina, Session 1901, so as to fix the date on which the officers of the City of Shelby will take their office.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 694, A bill to be entitled An act relating to the Municipal County Court of Lenoir County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 704, A bill to be entitled An act to amend chapter 206, Public-Local Laws of Extra Session of 1920, providing compensation for cotton weigher at Enfield

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 135, A bill to be entitled An act relating to foreclosures of mortgages or deeds of trust in Macon County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 691, A bill to be entitled An act to amend section 2649 of the Consolidated Statutes of North Carolina, so as to make same applicable to the City of Shelby, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 663, A bill to be entitled An act to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the Courts of the Justices of the Peace in Buncombe County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. R. 491, Joint resolution, relating to the employment of married couples now employed by agencies of State government.

On motion of Mr. Murphy, the resolution is laid on the Table.

H. B. 640, A bill to be entitled An act to amend chapter 2, Public Laws of 1921 and all acts amendatory thereof and additional thereto; and chapter 145, Public Laws, 1931, and all Acts amendatory thereto; and chapter 130 of the Consolidated Statutes, and all acts amendatory thereof and additional thereto; and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department, to be known as the Department of Roads and Public Works Commission.

On motion of Mr. Massenburg, the bill is made a Special Order for Wednesday, March 1.

H. B. 514, A bill to be entitled An act to amend chapter 167, Public Laws, 1929, relating to the courts of Pasquotank County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Substitute adopted, and remains on the Calendar.

On motion of Mr. Martin, the Committee substitute is ordered printed.

H. B. 525, A bill to be entitled An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the Election Laws more economical and more efficient.

Two amendments offered by Mr. Cherry are adopted.

An amendment offered by Mr. Doughton of Alleghany is adopted.

An amendment offered by Mr. Martin is adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 561, A bill to be entitled An act to repeal chapter 45 of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina, as to Halifax County."

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 585, A bill to be entitled An act to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public Laws of 1931, relative to delinquent taxpayers in Craven County, and to re-enact the same, as amended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 588, A bill to be entitled An act to repeal chapter 17, chapter 116 and chapter 126 of the Public Laws of Session of 1929, relating to establishment of Recorder's Court in Burke County, and to repeal chapters 426 and 494 of Session of 1931, relating to General County Courts in Burke County.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

S. B. 178, A bill to be entitled An act to amend chapter 299 of Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, Session, 1931.

The bill fails to pass its second reading.

S. B. 222, A bill to be entitled An act to amend chapter 93 of the Public Laws of 1921, relating to the payment to the Clerk of the Superior Court of sums of money not exceeding three hundred dollars due and owing to persons dying intestate.

Passes its second reading, and remains on the Calendar.

On motion of Mr. Tompkins, the vote by which S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, Session, 1931, failed to pass its second reading, is reconsidered, and the bill is placed on the Calendar.

On motion of Mr. Gardner, H. R. 491, Joint resolution, relating to the employment of married couples now employed by agencies of State government, is taken from the Table and placed on the Calendar.

Mr. Young makes a motion that the House adjourn until ten o'clock tomorrow, and when it adjourns tomorrow, it adjourn to meet Monday afternoon at three o'clock.

It is so ordered.

### FORTY-SIXTH DAY

House of Representatives, Saturday, February 25, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. George Atkinson, of Columbia, S. C.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance.

H. B. 636, A bill to be entitled An act to amend chapter 183 of the Public-Local Laws of 1931 being An act to create a County Sinking Fund Commission for Madison County, and to provide the duties thereof, requiring the Chairman of the Sinking Fund Commission to give bond and the Chairman of the Board of County Commissioners to sign vouchers.

And,

H. B. 701, A bill to be entitled An act to validate the sale of land for taxes held in Bladen County on the first Monday in October, 1931.

With favorable reports.

And.

H. B. 708, A bill to be entitled An act to relieve depression in North Carolina by declaring a two year moratorium on open accounts due and owing in North Carolina.

And,

H. B. 421, A bill to be entitled An act to levy a tax for the privilege of manufacturing cigarettes, cigars, snuff and other tobacco products.

With unfavorable reports.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resoutions are introduced, read the first time and disposed of as follows:

By Mr. Arndt: H. B. 736, A bill to be entitled An act to promote further efficiency in the Public Schools.

Referred to the Committee on Education.

By Mr. Everett: H. B. 737, A bill to be entitled An act to establish a Public Relief Commission for the purpose of receiving and administering Public Relief Funds.

Referred to the Committee on Reorganization of State Government.

# MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 54, A bill to be entitled An act to place a bounty upon the scalps of coyotes, wildcats and crows killed in Macon County.

Referred to the Committee on Propositions and Grievances.

S. B. 93, A bill to be entitled An act to abolish the Corporation Commission and to create the office of Utilities Commission and to prescribe and define the functions, powers, and duties of such Utilities Commissioner.

Referred to the Committee on Reorganization of State Government.

S. B. 149, A bill to be entitled An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.

Referred to the Committee on Game.

S. B. 206, A bill to be entitled An act to amend chapter 402, being "An act to authorize, empower, and direct the Sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes," and to add the counties of Buncombe, Haywood and Rowan to the provisions of said act.

Referred to the Committee on Finance.

S. B. 229, A bill to be entitled An act to amend section 150 of Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.

Referred to the Committee on Judiciary No. 1.

S. B. 230, A bill to be entitled An act to repeal chapter 99, of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

Referred to the Committee on Judiciary No. 1.

S. B. 240, A bill to be entitled An act to prevent the taking and catching of game and wild animals in steel traps, Sampson County.

Referred to the Committee on Game.

S. B. 271, A bill to be entitled An act for the relief of delinuent taxpayers of the Town of Mount Airy, in Surry County, and to provide for defining foreclosure actions on sales of property heretofore made for non-payment of taxes, etc.

Referred to the Committee on Judiciary No. 1.

H. B. 522, A bill to be entitled An act to validate the acts of certain Justices of the Peace of Transylvania County.

For concurrence in the Senate Amendment.

On motion of Mr. Galloway, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 697, A bil to be entitled An act to authorize the Tax Collector of Macon County, and his successors to collect back taxes in Macon County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 671, A bill to be entitled An act to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of Cotton Weigher for Marshville, Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 685, A bill to be entitled An act to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of Deputy Sheriffs in Union County

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 686, A bill to be entitled An act to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of Tax Collector of Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 687, A bill to be entitled An act to amend chapter 82, Public-Local Laws of 1931, relating to the salary of the County Accountant of Union County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Randolph, S. B. 13, a bill to be entitled An act to amend section 1673 of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain counties is taken from the Unfavorable Calendar and placed on the Calendar.

On motion of Mr. Wilson, the House adjourns and will meet Monday afternoon at 3 o'clock.

# FORTY-SEVENTH DAY

House of Representatives, Monday, February 27, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Edgar H. Gould, of the City of Raleigh.

Mr. Bender, for the Committee on the Journal reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. Clarence Chamblee, of Wake County, former member of the House.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Davis, for the Committee on Drainage:

H. B. 696, A bill to be entitled An act to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake, in Hyde County.

With a favorable report.

By Mr. Makepeace, for the Committee on Game:

S. B. 149, A bill to be entitled An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County. With a favorable report.

On motion of Mr. Ray, the bill is placed on its immediate passage. Passes its second and third readings and is ordered Enrolled.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Douglass: H. R. 738, Joint resolution to require the Commissioner of Banks to furnish to the General Assembly the names of attorneys employed by said Commissioner, the nature of their employment, and the total fees paid said attorneys for the year 1931, 1932 and 1933, and the fee contracted to be paid said attorneys.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Gilliam: H. B. 739, A bill to be entitled An act to require a reassessment of all real estate in the various counties for the purpose of taxation.

Referred to the Committee on Finance.

By Mr. Hutchins (by request): H. B. 740, A bill to be entitled An act to consolidate the counties of Mitchell and Avery and to merge the same into one county unit to be known as Mitchell County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Martin: H. B. 741, A bill to be entitled An act to amend sections 207 and 210 of the Consolidated Statutes relating to disbarment of attorney-at-law.

Referred to the Committee on Judiciary No. 1.

By Mr. Falkner: H. B. 742, A bill to be entitled An act to authorize the County Commissioners of Vance County to combine the office of County Accountant or Auditor with the office of Register of Deeds.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 743, A bill to be entitled An act relating to the salaries of the officers of Vance County.

Referred to the Committee on Salaries and Fees.

By Mr. Young (by request): H. B. 744, A bill to be entitled An act to repeal Chapter 181, Private Laws 1901, incorporating the Town of Angier in Harnett County.

Referred to the Committee on Judiciary No. 1.

By Mr. Williams: H. B. 745, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes of North Carolina relating to depredation of domestic fowls in certain counties.

Referred to the Committee on Propositions and Grievances.

By Mr. Sigmon: H. B. 746, A bill to be entitled An act to abolish the office of Treasurer of Lincoln County and to designate a depository for county funds

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cover: H. B. 747, A bill to be entitled An act to amend chapter 35 of the Public Laws of North Carolina, Session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered sent to the Senate without Engrossment.

By Messrs. Thompson of Columbus, Martin, Cameron, Smith and Moore: H. B. 748, A bill to be entitled an Act to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

Referred to the Committee on Education.

By Mr. Sprinkle: H. B. 749, A bill to be entitled An act placing the name of Mrs, Etta Fleming on the Pension Roll of Madison County.

Referred to the Committee on Pensions.

And

H. B. 750, A bill to be entitled An act repealing section 4, chapter 341, Public-Local Laws of 1931, being "An act to fix the fees of certain officials of Madison County whose salaries have been abolished, and to define the duties of certain officials and boards.

Referred to the Committee on Salaries and Fees.

And.

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

Referred to the Committee on Salaries and Fees.

By Mr. Hoyle: H. B. 752, A bill to be entitled An act to amend chapter 51, Public Laws of 1927 relative to the hunting of wild turkeys in Guilford County.

Referred to the Committee on Game.

By Mr. Johnson of Pender: H. B. 753, A bill to be entitled An act to amend chapter 27, sub-chapter 2, of the Consolidated Statutes, relating to the time of holding a term of the Superior Court and affecting the County of Pender.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Olive: H. B. 754, A bill to be entitled An act to amend House Bill No. 560, which was "An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto, relating to the Recorder's Court of Lexington."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

# MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 190, A bill to be entitled An act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

Referred to the Committee on Health.

S. B. 233, A bill to be entitled An act to amend chapter 46, Private Laws 1915, relating to the election of a Mayor and Commissioners of the Town of Smithfield, Johnston County.

Referred to the Committee on Counties, Cities and Towns.

S. B. 239, A bill to be entitled An act providing for the appointment of a cotton-weigher for the Town of Clinton, Sampson County.

Referred to the Committee on Counties, Cities and Towns.

#### SPECIAL MESSAGE

SENATE CHAMBER, February 25, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate requests the return of Senate Bill No. 230 "To repeal chapter 99 of Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties," for further consideration.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Hutchins, the bill is returned to the Senate.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 411, A bill to be entitled An act requiring the store-room keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 626, A bill to be entitled An act to amend chapter 125, Private Laws 1931, pertaining to the authority of the governing bodies of the City of Asheville, in so far as the same applies to the Police and Fire Departments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 625, A bill to be entitled An act to amend chapter 121, Private Laws 1931, the same being "An act to incorporate the City of Asheville, to define its corporate limits, to provide for its government, and for other purposes," by amending Article 4, section 31, in so far as the same applies to the Solicitor of the Police Court in so far as the same attempts to define his duties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 575, A bill to be entitled An act regulating the compensation of the public officers of Scotland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 636, A bill to be entitled An act to amend chapter 183 of the Public-Local Laws of 1931 being "An act to create a County Sinking Fund Commission for Madison County and provide the duties thereof," requiring the Chairman of the Sinking Fund Commission to give bond and the chairman of the Board of County Commissioners to sign vouchers.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 676, A bill to be entitled An act to amend chapter 427 of the Public-Local Laws of 1927, relating to the salary of the Chairman of the Board of County Commissioners of Guilford County.

Passes its second reading, and remains on the Calendar.

H. B. 679, A bill to be entitled An act to amend Chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 684, A bill to be entitled An act to authorize the Commissioners of Haywood County to appoint a Tax Supervisor and to prescribe his duties and fix his salary.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 692, A bill to be entitled An act to amend chapter 351, Private Laws of 1913, relative to the Charter of the Town of Dallas, North Carolina, providing for a change in the date of election of the Mayor and Board of Aldermen of said Town, and providing for an annual audit.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 701, A bill to be entitled An act to validate the sale of land for taxes held in Bladen County on the first Monday in October, 1931.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 723, A bill to be entitled An act relating to road district bonds heretofore issued by Swain Road District in Swain County and Township Road Bonds heretofore issued by Forney's Creek Township in Swain County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 726, A bill to be entitled An act relating to payment of Township Highway Bonds in McDowell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 13, A bill to be entitled An act to amend section 1673 of the Consolidated Statutes relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain counties.

On motion of Mr. Watson, the bill is laid on the table.

S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, Session 1931.

Passes its second reading, and remains on the Calendar.

H. B. 525, A bill to be entitled An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the

Public Laws of 1929, so as to make the administration of the Election Laws more economical and more efficient.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

H. B. 261, A bill to be entitled An act to promote the better enforcement of the Prohibition Laws and the Eighteenth Amendment.

On motion of Mr. Murphy the bill is recommitted to the Committee on Judiciary No. 1.

H. R. 491, Joint resolution relating to the employment of married couples now employed by agencies of State Government.

An amendment offered by Mr. Thompson of Columbus is adopted.

An amendment offered by Mr. Womble is lost.

As amended the resolution passes its second reading, and remains on the Calendar.

H. B. 509, A bill to be entitled An act to save the homes of distressed people in North Carolina.

On motion of Mr. English the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 606, A bill to be entitled An act to amend section 4200 of the Consolidated Statutes of North Carolina relating to capital crimes.

Passes its second reading, and remains on the Calendar.

H. B. 674, A bill to be entitled An act to amend section 6300 of the Consolidated Statutes relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance.

On motion of Mr. O'Berry the bill is recommitted to the Committee on Insurance.

H. B. 683, A bill to be entitled An act to amend section 3908 of the Consolidated Statutes relating to fees of sheriffs.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 675, A bill to be entitled An act to amend chapter 34 of Public Laws of 1929, providing for the sterilization of the mentally defective and feeble-minded inmates of charitable and penal institutions of the State of North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 695, A bill to be entitled An act requiring Clerks of the Superior Court to give notice to legatees and devisees.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 114, A bill to be entitled An act to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

Passes its second and third readings, and is ordered Enrolled.

S. B. 92, A bill to be entitled An act to repeal chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457 Public Laws of 1931, and any and all other laws relating to and providing for a Tax Commission.

As amended, the bill passes it second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

S. B. 138, A bill to be entitled An act to prohibit the sale of convict-made goods.

On motion of Mr. Gattis the bill is recommitted to the Committee on Penal Institutions.

S. B. 222, A bill to be entitled An act to amend chapter 93 of the 1921 Public Laws relating to the payment to the Clerk of the Superior Court of sums of money not exceeding \$300 due and owing to persons dying intestate.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House amendment.

## SPECIAL ORDER

The hour for the Special Order having arrived the Speaker lays before the House for its consideration H. B. 343, A bill to be entitled An act to amend and add to sub-section 14, section 34, chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

Mr. Bowie, offers a Substitute for the bill.

On motion of Mr. Ewing, the bill and substitute are postponed until after the Appropriations Committee makes its report.

H. B. 586, A bill to be entitled An act relating to tax levies for Craven County for the years 1932, 1933 and 1934.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Berryman, Binford, Bowie, Boyd, Brawley, Brock, Brown, Cameron, Cover, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Grant, Greene, Griffin, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mizzell, Moore, Moss, Murphy, McLauchlin, Neal, Oaks, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, White, Williams, Wilson, Woodall, Woodfin and Young—77.

Those voting in the negative are: Messrs. Cherry, Grady, O'Berry and Womble—4.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 97, An act to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of Solicitors of the Superior Court.

S. B. 131, An act to validate certain sales of real and personal property made by sheriffs under execution.

- S. B. 135, An act relating to foreclosures of mortgages or deeds of trust in Macon County.
- S. B. 139, An act to amend the Public Laws of 1917, chapter 136, as set forth in Article 19, Consolidated Statutes, Part Two, Plan "B," relating to Municipal Corporations.
- S. B. 142, An act to amend chapter 208 of the Public Laws of 1929, amending section 1443 of Consolidated Statutes, relating to terms of court of Johnston County.
- S. B. 178, An act to amend chapter 299 of Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.
- S. B. 182, An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Randolph County from the Absentee Voters Law.
- S. B. 211, An act to incorporate Hubert M. Smith Post, No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said Post.
- S. B. 246, An act increasing the number of Commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said Commissioners.
- S. B. 266, An act to validate the official acts of T. F. Jarman, a Justice of the Peace of Indian Springs Township, Wayne County.
- H. B. 85, An act to make the office of the Solicitor of the Recorder's Court of Lincoln County elective.
- H. B. 270, An act to amend chapter 307 Private Laws of 1905, amending the charter of the Lenoir-Rhyne College.
- H. B. 286, An act to amend section 3940 of the Consolidated Statutes of 1919, relating to fees in the Recorder's Court in Scotland County.
- H. B. 356, An act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.
- H. B. 480, An act relating to official bonds of public officers in Gaston County.
  - H. B. 505, An act to fix the salaries of the officers of Bladen County.
- H. B. 512, An act to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.
- H. B. 513, An act to amend section 2366 of the Consolidated Statutes relating to breach of contract of tenant, so as to include Pasquotank among the several other counties named in said section.
- H. B. 522, An act to validate the acts of certain Justices of the Peace of Transylvania County.
- H. B. 560, An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the Recorder's Court of Lexington.
- H. B. 562, An act to repeal chapter 76 of Public-Local Laws of the Extra Session of 1924 relating to the appointment of special constables in Wilson County.
- H. B. 568, An act to amend chapter 101 of the Private Laws of 1883, relative to appointing a Commission for the management of the cemetery and sale of cemetery lots in the Town of Conover, Catawba County.

H. B. 589, An act to amend chapter 147 of the Private Laws of 1907, being An act to amend and revise the Charter of the Town of Waco, in Cleveland County.

On motion of Mr. Braddy, H. B. 700, A bill to be entitled An act to regulate the speed of boats on White Lake in Bladen County, is taken from the Committee on Commerce, and recommitted, to the Committee on Conservation and Development.

On motion of Mr. Wilson the House adjourns and will meet tomorrow at 11 o'clock.

# FORTY-EIGHTH DAY

House of Representatives, Tuesday, February 28, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. R. Freeman of the City of Raleigh.

Mr. Bender, for the Committee on the Journal reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Ira T. Johnston of Ashe County, and Mr. W. B. Austin of Ashe County, former members of the House.

## HOUSE RESOLUTIONS

House Resolutions, instructing the Finance Committee, relative to the removal of the fifteen-cent ad valorem tax, and House Resolution instructing the Appropriations Committee, relative to appropriations for eight months school, are offered by Mr. Scarborough of Richmond, and upon motion being made both Resolutions are placed on the Calendar.

# PETITIONS AND MEMORIALS

Petitions and Memorials are presented, read and referred to the appropriate committee.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 609, A bill to be entitled An act fixing the fees of the Justices of the Peace of Caswell County.

And.

H. B. 750, A bill to be entitled An act repealing section 4, chapter 341, Public-Local Laws of 1931, being "An act to fix the fees of certain officials of Madison County whose salaries have been abolished, and to define the duties of certain officials and boards."

And,

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

And,

H. B. 743, A bill to be entitled An act relating to the salaries of the officers of Vance County.

With favorable reports.

And,

H. B. 658, A bill to be entitled An act to abolish the whole-time duties and reduce the salary of the Chairman of the Board of County Commissioners of New Hanover County.

With unfavorable report.

By Mr. O'Berry, for the Committee on Finance:

H. B. 639, A bill to be entitled An act to provide for redemption of real estate purchased by Hertford County and towns therein and for the extension of the time within which to pay delinquent taxes.

Bill reported without prejudice.

And.

H. B. 715, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Aulander, North Carolina.

And,

H. B. 594, A bill to be entitled An act to authorize the Board of County Commissioners of Pasquotank County the privilege of deferring tax sales in Pasquotank County to the first Monday in December.

And.

H. B. 467, A bill to be entitled An act to allow the Board of Aldermen of the Town of Brevard to extend the time of payment of street assessments in said Town.

And,

H. B. 468, A bill to be entitled An act to authorize the Tax Collector of the Town of Brevard to receive bonds or notes of said Town in payment of debt service portion of current or delinquent taxes.

And,

H. B. 470, A bill to be entitled An act to provide for the payment of municipal street assessments in installments in the Town of Enfield.

With favorable reports.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 263, A bill to be entitled An act amending chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws, 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of the public highways by motor trucks, semi-trailer trucks, semi-trailers and trailers; to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this Act.

With an unfavorable report as to bill. Committee Substitute reported without prejudice.

On motion of Mr. Johnson of Chatham, the bill is made a Special Order for next Tuesday, March 7.

On motion of Mr. Johnson of Chatham, the Substitute Bill is ordered printed.

And,

H. B. 425, A bill to be entitled An act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

With unfavorable report as to bill; favorable as to Substitute. And,

S. B. 173, A bill to be entitled An act to amend chapter 86 of the Public-Local Laws of 1931, reducing the salaries of the Sheriff, the Register of Deeds and the Clerk of the Superior Court of Mecklenburg County, and fixing salaries of the Jailer and Deputy Sheriffs, and amending chapter 236 of the Public-Local Laws of 1931, reducing the salary of the Chairman of the Board of County Commissioners of Mecklenburg County.

And.

H. B. 612, A bill to be entitled An act to regulate legal advertisement and printing in North Carolina.

With unfavorable reports.

And.

S. B. 99, A bill to be entitled An act to amend chapter 124 of the Public Laws of North Carolina, Session, 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

With a favorable report.

And.

H. B. 262, A bill to be entitled An act to regulate the business of transporting property for compensation by motor vehicles operated over the public highways of the State.

Unfavorable as to bill; Substitute reported without prejudice, as amended. On motion of Mr. Johnson of Chatham, the bill is made a Special Order for next Tuesday, March 7.

On motion of Mr. Johnson of Chatham, the Substitute Bill is ordered printed.

# ENGROSSED BILLS

Mr. Ray, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 411, A bill to be entitled An act requiring the store-room keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

H. B. 683, A bill to be entitled An act to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Randolph: H. B. 755, A bill to be entitled An act to facilitate the collection and payment of taxes in Swain County.

Referred to the Committee on Finance.

And,

H. B. 756, A bill to be entitled An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

Referred to the Committee on Education.

And,

H. B. 757, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof, and the extension for bringing foreclosure actions in Swain County in North Carolina.

Referred to the Committee on Judiciary No. 2.

By Mr. Galloway: H. B. 758, A bill to be entitled An act relative to seizure and sale of personal property under title-retained contract of rental agreement.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 759, A bill to be entitled An act to place the purchase and distribution of all office supplies, books, records, furniture and fixtures for the public offices in the several counties of the State under the Division of Purchase and Contract.

Referred to the Committee on Reorganization of State Government.

By Mr. Scarborough: H. B. 760, A bill to be entitled An act to regulate the sale of certain assets of defunct banks.

Referred to the Committee on Banks and Banking.

By Mr. Griffin: H. B. 761, A bill to be entitled An act requiring the Board of County Commissioners of Rutherford County to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court and County Treasurer of Rutherford County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Froneberger: H. B. 762, A bill to be entitled An act to amend the Charter of the Town of Bessemer City.

Referred to the Committee on Judiciary No. 2.

By Mr. Lumpkin: H. B. 763, A bill to be entitled An act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the Register of Deeds and the Clerk of the Court of Franklin County.

Referred to the Committee on Salaries and Fees.

And.

H. B. 764, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931, for the reduction of the salary of the Sheriff of Franklin County.

Referred to the Committee on Salaries and Fees.

### MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 236, A bill to be entitled An act to ratify and validate extension of benefit assessments in Town of Cherryville, North Carolina.

Referred to the Committee on Finance.

S. B. 241, A bill to be entitled An act to amend section 2578, Consolidated Statutes of North Carolina with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

Referred to the Committee on Judiciary No. 1.

S. B. 262, A bill to be entitled An act creating the office of Tax Collector in Cumberland County.

Referred to the Committee on Counties, Cities and Towns.

H. B. 51, A bill to be entitled An act to amend section 2314 of the Consolidated Statutes, relating to jurors.

For concurrence in the Senate Amendment.

On motion of Mr. Martin, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGE

SENATE CHAMBER.

Mr. Speaker:

February 27, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Land and Sparger to act as conferees with your appointees to consider the differences arising on H. B. 15, to repeal chapter 129, Public Laws, 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants, and adjust the same."

# Respectfully,

LEROY MARTIN,
Clerk of the Senate.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee Substitute for:

H. B. 433, A bill to be entitled An act relating to the election of the County Superintendent of Public Welfare in Graham County.

Committee Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 598, A bill to be entitled An act to provide for the inspection of the watershed area of the municipal water supply of the City of Durham.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 696, A bill to be entitled An act to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake in Hyde County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 475, A bill to be entitled An act to prohibit State institutions from engaging in the retail business.

Committee Substitute adopted.

Passes its second reading, and remains on the Calendar.

S. B. 221, A bill to be entitled An act to amend chapter 45 of the Public Laws of North Carolina, Session 1931.

An amendment offered by Mr. Moss is adopted.

As amended, the bill fails to pass its third reading.

H. R. 491, Joint resolution, relating to the employment of married couples now employed by agencies of State Government.

As amended, the resolution passes its third reading, and is ordered Engrossed and sent to the Senate.

H. B. 457, A bill to be entitled An act to amend section 5034 of the Consolidated Statutes, as amended by chapter 74, Public Laws, Extra Session, 1924, requiring children under sixteen to complete the sixth grade in school before leaving to go to work.

The bill fails to pass its second reading.

H. B. 602, A bill to be entitled An act to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 24, A bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said Town.

The question recurs upon the passage of the bill on is third reading. Upon this, Mr. Binford calls for the "ayes" and "noes." The call is sustained, and the bill fails to pass its third reading by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Bender, Boswell, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Doughton of Alleghany, Dowtin of Warren, Etheridge, Everett, Ewing, Falkner, Froneberger, Garibaldi, Graeber, Greene, Greer, Hutchins, James, Johnson of Pender, Ledford, Massenburg, Mizzell, Monroe, Moore, Morphew, Murphy, McLauchlin, Neal, Oaks, Phillips, Randolph, Rouse, Sigmon, Smith, Sprinkle, Spruill, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Warlick, Woodall and Woodfin—51.

Those voting in the negative are: Messrs. Allen, Aycock, of Wake, Aycock of Wayne, Berryman, Binford, Bowie, Boyd, Cover, Culpepper, Davis, Dees, Eagles, Edwards, English, Flanagan, Gallowy, Gardner, Gatling, Gilliam, Grady, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Martin, Mebane, Moss, Moye, McEachern, O'Berry, Olive, Pope, Ray, Scarborough, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, White, Williams, Womble and Young—51

Mr. Murphy gives notice that he will move to reconsider the vote by which this bill failed to pass its third reading.

# SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House, for its consideration, H. B. 221, A bill to be entitled An act to provide for the organization, as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbursement.

On motion of Mr. Olive, consideration of the bill is postponed until Wednesday, March 1.

H. B. 586, A bill to be entitled An act relating to tax levies for Craven County for the years 1932, 1933 and 1934.

Passes its third reading by the following vote, and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Brock, Brown, Cameron, Cover, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Galloway, Gardner, Garibaldi, Gatling, Gilliam, Graeber, Greene, Griffin, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Lee, Lumpkin, Makepeace, Martin, Mizzell, Monroe, Moore, Morphew, Moye, McEachern, McLauchlin, Neal, Oaks, Randolph, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, White, Williams, Woodall and Woodfin—79.

Those voting in the negative are: Messrs. Aycock of Wake, Cherry, Flanagan, Grady, Groves, O'Berry, Olive, Ray, Vann and Womble—10.

# ENROLLED BILLS

Mr. Cherry, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 114, An act to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

S. B. 149, An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.

H. B. 754, An act to amend House Bill No. 560 which was "An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relative to the Recorder's Court of Lexington."

H. B. 285, An act to extend the time for payment of street assessments in the Town of Elkin.

H. B. 333, An act to extend the time for payment of municipal street assessments in the Town of Waynesville.

H. B. 414, An act to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee counties.

H. B. 424, An act to extend the time for payment of street assessments in the Town of Ahoskie, Hertford County.

H. B. 487, An act to amend chapter 111, Public-Local Laws of 1929, relative to Tax Collector of Rutherford County.

H. B. 507, An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes.

H. B. 549, An act authorizing the County of Franklin to accept vouchers issued by said County in payment of taxes and other obligations due the County.

H. R. 582, Joint resolution setting aside the week of March 5-11, 1933, as National Business Women's Week.

H. B. 587, An act relating to special assessments levied by the Town of Lincolnton.

H. B. 595, An act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the Sheriff.

H. B. 604, An act to authorize the Commissioners of the Town of Winton to appoint an agent or agents for the collection of taxes in said County.

H. B. 631, An act to better protect the revenues and public funds of Cherokee County.

H. B. 659, An act to abolish the office of Farm Demonstration Agent for New Hanover County.

On motion of Mr. Randolph, H. B. 213, A bill to be entitled An act, to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountains National Park, is taken from the Committee on Appropriations and placed on the Calendar.

On motion of Mr. Johnson of Chatham, the House adjourns until eleven o'clock tomorrow.

# FORTY-NINTH DAY

House of Representatives, Wednesday, March 1, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Joseph Fletcher of the City of Raleigh.

Mr. Aycock of Wayne, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

S. B. 105, A bill to be entitled An act to regulate the practice of cosmetic art in the State of North Carolina.

With a favorable report, as amended.

And

H. B. 762, A bill to be entitled An act to amend the Charter of the Town of Bessemer City.

With a favorable report.

By Mr. Cherry, for the Committee on Roads:

S. B. 96, A bill to be entitled An act to amend chapter 2, Public Laws 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

With a favorable report, as amended.

On motion of Mr. Cherry, the bill displaces H. B. 640, A bill to be entitled An act to amend chapter 2, Public Laws of 1921, and all Acts amendatory thereof and adidtional thereto, and chapter 145, Public Laws 1931, and all Acts amendatory thereof, and chapter 130 of the Consolidated Statutes and all Acts amendatory thereof and adidtional thereto, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Department of Roads and Public Works Commission; heretofore set as a Special Order for today.

By Mr. O'Berry, for the Committee on Finance:

H. B. 466, A bill to be entitled An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said town in payment of special assessments.

With an unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

S. B. 233, A bill to be entitled An act to amend chapter 46, Private Laws 1915, relating to the election of a mayor and commissioners of the Town of Smithfield, Johnston County.

And,

H. B. 742, A bill to be entitled An act to authorize the County Commissioners of Vance County to combine the office of County Accountant or Auditor with the office of Register of Deeds.

And,

H. B. 761, A bill to be entitled An act requiring the Board of County Commissioners of Rutherford County to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court and County Treasurer of Rutherford County.

And.

H. B. 746, A bill to be entitled An act to abolish the office of Treasurer of Lincoln County and to designate a depository for county funds.

And.

S. B. 239, A bill to be entitled An act providing for the appointment of a cotton weigher for the Town of Clinton, Sampson County.

With favorable reports.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. R. 491, Joint resolution relating to the employment of married couples now employed by agencies of State Government.

H. B. 525, A bill to be entitled An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929 so as to make the administration of the election laws more economical and more efficient.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Berryman: H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases.

Referred to the Committee on Health.

By Messrs. Dowtin of Warren and Falkner: H. B. 766, A bill to be entitled An act to amend section 6760 of the Consolidated Statutes, relative to applicants to practice veterinary medicine and surgery in Vance and Warren counties.

Referred to the Committee on Health.

By Messrs. Vann, Spruill and Davis: H. B. 767, A bill to be entitled An act to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

Referred to the Committee on Agriculture.

By Mr. Grady (by request): H. R. 768, Joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to secure the enactment of some appropriate measure to provide for delaying the foreclosures on real property and for an extension of time in which to pay all balances.

Referred to the Committee on Federal Relations.

By Mr. Cover: H. B. 769, A bill to be entitled An act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

Referred to the Committee on Finance.

By Mr. Doughton of Alleghany: H. B. 770, A bill to be entitled An act to amend chapter 428 of the Public Laws of 1931, being "An act to provide for the listing and the valuing of all property, real, personal, and mixed, at its real value in money.

On motion of Mr. Doughton, the bill is placed on the Calendar.

On motion of Mr. Doughton, the bill is ordered printed.

By Messrs. Spruill, Smith, Mizzell, and Thompson of Beaufort: H. B. 771, A bill to be entitled An act to prevent hunting of wild animals or other game by firelighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.

Referred to the Committee on Game.

By Mr. Thompson of Beaufort: H. B. 772, A bill to be entitled An act to amend and rewrite section 2591 of the Consolidated Statutes, relating to foreclosures of mortgages and/or deeds of trust.

Referred to the Committee on Judiciary No. 2.

By Mr. Ewing: H. B. 773, A bill to be entitled An act to raise revenue for the support of the State Government by the imposition of an excise tax upon electric power generated and sold within this State.

Referred to the Committee on Finance.

By Mr. Makepeace: H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

On motion of Mr. Makepeace, the bill is placed on the Calendar.

By Mr. Everett: H. B. 775, A bill to be entitled An act to protect consumers of flour.

Referred to the Committee on Agriculture.

By Mr. Douglass: H. B. 776, A bill to be entitled An act to allow fishing in Wake County without license until December 1, 1934.

Referred to the Committee on Conservation and Development.

By Mr. Woodfin: H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session 1931, relating to five cents special tax levy in Alexander County.

Referred to the Committee on Finance.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 237, A bill to be entitled An act to authorize the Board of School Commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

Referred to the Committee on Finance.

S. B. 242, A bill to be entitled An act to amend the Charter of the City of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government and for other purposes.

Referred to the Committee on Counties, Cities and Towns.

S. B. 278, A bill to be entitled An act to amend the Charter of the City of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the City of Winston-Salem.

Referred to the Committee on Judiciary No. 1.

S. B. 287, A bill to be entitled An act relating to and providing for extension of time for the payment, of taxes and interest charges upon delinquent taxes in Macon County.

Referred to the Committee on Finance.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 467, A bill to be entitled An act to allow the Board of Aldermen of the Town of Brevard to extend the time for payment of street assessments in said town.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 468, A bill to be entitled An act to authorize the Tax Collector of the Town of Brevard to receive bonds on notes of said Town in payment of debt service portion of current or delinquent taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 470, A bill to be entitled An act to provide for the payment of municipal street assessments in installments in the Town of Enfield.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 594, A bill to be entitled An act to authorize the Board of County Commissioners of Pasquotank County the privilege of deferring tax sales in Pasquotank County to the first Monday in December.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 609, A bill to be entitled An act fixing the fees of the Justices of the Peace of Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 715, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Aulander, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 743, A bill to be entitled An act relating to the salaries of the officers of Vance County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 750, A bill to be entitled An act repealing section 4, chapter 341, Public-Local Laws of 1931, being "An act to fix the fees of certain officials of Madison County whose salaries have been abolished, and to define the duties of certain officials and boards."

On motion of Mr. Allen, the bill is recommitted to the Committee on Salaries and Fees.

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

On motion of Mr. Allen, the bill is recommitted to the Committee on Salaries and Fees.

H. B. 640, A bill to be entitled An act to amend chapter 2, Public Laws of 1921, and all acts amendatory thereof and additional thereto; and chapter 145, Public Laws of 1931, and all acts amendatory thereof; and chapter 130 of the Consolidated Statutes, and all acts amendatory thereof and additional thereto; and to provide for the consolidation of the State Prison Department and the State Highway Commission into a single department to be known as the Department of Roads and Public Works Commission.

On motion of Mr. Cherry, the bill is laid on the table.

H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

On motion of Mr. Hamilton, the bill is made a Special Order for Thursday, March 2.

## SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration, S. B. 96, a bill to be entitled An act to amend chapter 2, Public Laws 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Nine committee amendments are adopted.

The question now recurs upon the passage of the bill as amended.

The bill, as amended, passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendments.

A House Resolution instructing the Appropriations Committee, relative to appropriations for eight months school, offered by Mr. Scarborough on yesterday, is placed before the House for its consideration.

The question recurs upon the adoption of the Resolution.

On motion of Mr. McEachern, the Resolution is referred to the Committee on Appropriations.

A House Resolution instructing the Finance Committee relative to the removal of the 15 cents ad valorem tax, offered by Mr. Scarborough on yesterday, is placed before the House for its consideration.

The question recurs upon the adoption of the Resolution.

Upon this Mr. Scarborough calls for the "ayes" and "noes." The call is sustained, and the resolution fails of adoption by the following vote:

Those voting in the affirmative are: Messrs. Crews, English, Gattis, Olive, Scarborough, Tatem and Turner of Iredell—7.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Doughton, of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Phillips, Pope, Randolph, Rouse, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, White, Williams, Wilson, Woodall and Woodfin—99.

The following pair is announced: Mr. Neal with Mr. Womble—were Mr. Womble present he would vote "no," Mr. Neal would vote "aye."

Mr. Cox gives notice and lodges a motion to reconsider the vote by which the Resolution failed of adoption, and asks that the consideration of this motion be postponed from day to day until after the Finance Committee has reported the Revenue Bill.

By unanimous consent, this is permitted.

Mr. Griffin moves that the vote by which S. B. 24, a bill to be entitled An act to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town, failed to pass its third reading, be reconsidered.

Mr. Bowie moves that this motion do lie upon the table.

Upon this question, Mr. Murphy calls for the "ayes" and "noes." The call is sustained, and the motion of Mr. Bowie to lay the motion of Mr. Griffin on the table is lost by the following vote:

Those voting in the affirmative are: Messrs, Allen, Aycock of Wake, Aycock of Wayne, Berryman, Binford, Bowie, Boyd, Braddy, Cover, Dees, Eagles, Edwards, Gatling, Gilliam, Grady, Grant, Groves, Haynes, Howell, Ingram, Lumpkin, Makepeace, Martin, Mebane, Moye, McEachern, O'Berry, Olive, Pope, Ray, Scarborough, Spruill, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Turner of Guilford, Vann, White and Williams—41.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Bean, Beasley, Bender, Boswell, Brawley, Brock, Brown, Cameron, Coffey, Cowles, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, English, Everett, Ewing, Froneberger, Gardner, Garibaldi, Gattis, Graeber, Greene, Griffin, Hoyle, Hutchins, James, Ledford, Massenburg, Mizzell, Monroe, Moore, Murphy, Neal, Phillips, Randolph, Rouse, Sigmon, Smith, Sprinkle, Sullivan, Taylor of Halifax, Thompson of Columbus, Turner of Iredell, Warlick, Wilson, Woodall and Woodfin—52.

The following pair is announced: Mr. Moss with Mr. Watson—were Mr. Watson present, he would vote "no," Mr. Moss would vote "aye."

The question now recurs upon the motion made by Mr. Griffin, to reconsider the vote by which the bill failed to pass its third reading.

The motion fails of adoption.

On motion of Mr. Edwards, H. B. 674, a bill to be entitled An act to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance, is taken from the Committee on Insurance and placed on the Calendar.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 92, An act to repeal chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931, and any and all other laws relating to and providing for a Tax Commission.

H. B. 51, An act to amend section 2314 of the Consolidated Statutes relating to jurors.

H. B. 249, An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina.

H. B. 575, An act regulating the compensation of the public officers of Scotland County.

H. B. 599, An act to establish a consolidated governing body for the City of Wilmington and the County of New Hanover.

H. B. 636, An act to amend chapter 183 of the Public-Local Laws of 1931, being An act to create a County Sinking Fund Commission for Madison County and provide the duties thereof, requiring the Chairman of the Sinking Fund Commission to give bond and the Chairman of the Board of County Commissioners to sign vouchers.

H. B. 747, An act to amend chapter 35 of the Public Laws of North Carolina, Session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County.

On Motion of Mr. Randolph, the House takes a recess until 8:00 o'clock tonight.

# NIGHT SESSION

House of Representatives, Wednesday Night, March 1, 1933.

Pursuant to recess, the House meets, and resumes consideration of its business, with Mr. Speaker Harris presiding.

The courtesies of the floor are extended to Mr. Wade Bruton of Montgomery County, former Member of the House.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Referred to the Committee on Finance.

S. B. 257, A bill to be entitled An act to amend the Charter of the Town of Wilson.

Referred to the Committee on Judiciary No. 1.

S. R. 300, Joint resolution to pay the expenses of the Committee from the Senate and House of Representatives, visiting the Caswell Training School, Kinston, North Carolina.

Referred to the Committee on Appropriations.

### CALENDAR

Bills and resolution on the Calendar are taken up and disposed of as follows:

Committee substitute for:

H. B. 475, A bill to be entitled An act to prohibit State institutions from engaging in the retail business.

Passed its third reading, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Committee substitute for:

H. B. 466, A bill to be entitled An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said town in payment of special assessments.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 742, A bill to be entitled An act to authorize the County Commissioners of Vance County to combine the office of County Accountant or Auditor with the office of Register of Deeds.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 746, A bill to be entitled An act to abolish the office of Treasurer of Lincoln County and to designate a depository for county funds.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 762, A bill to be entitled An act to amend the Charter of the Town of Bessemer City.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 761, A bill to be entitled An act requiring the Board of County Commissioners of Rutherford County to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court and County Treasurer of Rutherford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 425, A bill to be entitled An act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Committee substitute for:

H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

The question now recurs upon the passage of the substitute bill on its second reading. On this, Mr. Crews calls for the "ayes" and "noes." The call is sustained, and the bill passes its second reading by the following vote, and remains on the Calendar:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Berryman, Binford, Bowie, Boyd, Brock, Brown, Cameron, Cover, Cowles, Crews, Culpepper, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Everett, Ewing, Galloway, Gardner, Garibaldi, Gilliam, Grady, Grant, Greene, Griffin, Haynes, Howell, Ingram, Johnson of Chatham, Lumpkin, Makepeace, Martin, Monroe, Morphew, McEachern, Newman, Phillips, Rouse, Scarborough, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thompson of Columbus, Thompson of Robeson, Tompkins, Williams and Wilson—55.

Those voting in the negative are: Mr. Speaker, Messrs. Bean, Bender, Brawley, Cherry, Coffey, Davis, Dees, Doughton of Alleghany, English, Flanagan, Froneberger, Gatling, Gattis, Greer, Groves, Hoyle, Hutchins, James, Massenburg, Mizzell, Moore, Moss, Murphy, Neal, O'Berry, Olive, Pope, Randolph, Sigmon, Smith, Tatem, Taylor of Halifax, Thomas, Turner of Iredell, Vann, Warlick, White, Womble, Woodfin and Young—41.

H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountain National Park.

On motion of Mr. Randolph, the bill is made a Special Order for Wednesday, March 8.

On motion of Mr. Everett, H. B. 737, A bill to be entitled An act to establish a Public Relief Commission for the purpose of receiving and administering public relief funds, is taken from the Committee on Reorganization of State Government, and recommitted to the Committee on Public Welfare.

On motion of Mr. Young, the House adjourns and will meet tomorrow at 11:00 o'clock.

# FIFTIETH DAY

House of Representatives, Thursday, March 2, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Charles F. Hannigan, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

S. B. 271, A bill to be entitled An act for the relief of delinquent taxpayers of the Town of Mount Airy, in Surry County, and to provide for deferring foreclosure actions on sales of property heretofore made for nonpayment of taxes, etc.

And.

H. B. 390, A bill to be entitled An act to exempt Davie County from the provisions of chapter 119, Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina.

And.

S. B. 147, A bill to be entitled An act to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.

With favorable reports.

And.

H. B. 261, A bill to be entitled An act to promote the better enforcement of the Prohibition Laws and the Eighteenth Amendment.

With a favorable report, and on motion of Mr. Murphy, the bill is made a Special Order for Monday, March 6.

And,

H. B. 624, A bill to be entitled An act to make uniform the law of sales of goods.

And.

H. B. 711, A bill to be entitled An act to regulate the fluctuations in the price of gasoline.

And.

H. B. 712, A bill to be entitled An act declaring women eligible for jury duty in North Carolina.

With unfavorable reports.

And,

H. B. 438, A bill to be entitled An act to provide for the mortgage or sale of estates held by the entireties where the wife or the husband or both may become mentally incompetent.

With a favorable report as amended.

By Mr. Bowie, for the Committee on Election Laws:

H. B. 654, A bill to be entitled An act to amend House Bill 190, being "An act to repeal the Absentee Ballot Law for Yancey County," so as to add Clay County to its provisions.

And,

S. B. 227, A bill to be entitled An act to repeal the Absentee Ballot Law for Mitchell County.

And,

H. B. 544, A bill to be entitled An act to repeal the Absentee Ballot Law for Yadkin County, North Carolina.

With favorable reports.

And.

H. B. 167, A bill to be entitled An act to repeal the Absentee Ballot Law.

H. B. 269, A bill to be entitled An act to amend section 6018 of the Consolidated Statutes relating to the date for holding Primary Elections and to amend section 6045 abolishing Second Primaries.

And,

H. B. 489, A bill to be entitled An act to repeal the Absentee Ballot Law for Clay County, North Carolina.

And,

H. B. 156, A bill to be entitled An act to amend section 5947 of the Consolidated Statutes relative to time of opening of registration books in Caswell and Alleghany counties.

With unfavorable reports.

And.

H. B. 619, A bill to be entitled An act to provide for an election on what shall constitute a lawful fence in Graham County.

With a favorable report, and on motion of Mr. Morphew, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 216, A bill to be entitled An act to repeal State-wide Primary Law. With unfavorable report as amended, with minority report attached. And.

H. B. 729, A bill to be entitled An act to abolish the Absentee Ballot Law in Primaries.

And,

H. B. 638, A bill to be entitled An act to repeal the Absentee Voting Laws in the Primaries.

With favorable reports as amended.

### CONFEREES REPORT

To the President of the Senate and Speaker of House of Representatives:

The undersigned Conference Committee, appointed on the part of the Senate and House to consider an amendment by the House to Senate Bill No. 85, A bill to be entitled An act to amend chapter 119, Public Laws of 1929, and chapter 32, Public Laws of 1931, relating to State Barbers' License Law, having met in accordance with said appointments, hereby make the following unanimous report:

(1) We recommend the House recede from its amendment in the following respect—

That the Counties of Catawba and Wayne be stricken therefrom.

D. H. BLAND, JOHN W. AIKEN,

Conferees on the Part of the Senate.

P. C. Froneberger,

H. L. ARNDT, T. C. HOYLE, JR.,

Conferees on the Part of the House.

The report is adopted, and the Senate is so notified, to the end that if a similar report is adopted by that Body the bill may be Enrolled.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Womble: H. B. 778, A bill to be entitled An act to reduce the salaries of the officers of Wake County by amending chapter 507 of the Public-Local and Private Laws of 1925.

Referred to the Committee on Salaries and Fees.

By Mr. Graeber (by request): H. B. 779, A bill to be entitled An act to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment relating to Cabarrus County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Douglass: H. B. 780, A bill to be entitled An act to reduce the salaries of the Commissioners of the City of Raleigh and the Judge and Prosecuting Attorney of the City Court of said city.

Referred to the Committee on Salaries and Fees.

And.

H. B. 781, A bill to be entitled An act reducing the term of office of the Judge of the City Court of Raleigh from a term of four years to a term of two years, amending chapter 100 of the Private Laws of 1929.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County.

Referred to the Committee on Salaries and Fees.

By Messrs. Vann, Davis and Spruill: H. B. 783, A bill to be entitled An act to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County, and towns therein, at tax sales and to provide an extension of time within which to pay delinquent taxes.

Referred to the Committee on Finance.

By Mr. Ruark (by request): H. B. 784, A bill to be entitled An act to amend sub-section (D) of section 187 of chapter 427 of the Public Laws, of 1931, relating to swearing out warrant by Revenue Commissioner instead of Sheriff.

Referred to the Committee on Judiciary No. 2.

By Mr. Garrou: H. B. 785, A bill to be entitled An act to repeal the charter of the Town of Rutherford College, Burke County.

Referred to the Committee on Education.

By Messrs. Sullivan and Martin: H. B. 786, A bill to be entitled An act to regulate the operation of dance and recreation halls in Buncombe County. Referred to the Committee on Propositions and Grievances.

By Mr. Massenburg: H. B. 787, A bill to be entitled An act to repeal chapter 147 of the Public-Local Laws of 1931, and establishing the office of Tax Collector, and redefining the duties of the Sheriff of Polk County, and fixing his salary.

On motion of Mr. Massenburg the bill is placed on the Calendar.

And,

H. B. 788, A bill to be entitled An act empowering and authorizing the Town of Saluda, in its discretion, to cancel the indebtedness or any part thereof due by any church or religious body or charitable association owning property within the corporate limits of said city.

Referred to the Committee on Finance.

By Mr. Sprinkle: H. B. 789, A bill to be entitled An act to consolidate the office of Auditor with the office of Register of Deeds of Madison County. Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 790, A bill to be entitled An act to repeal chapter 343, Public-Local Laws of 1931, relating to a Highway Commission of Madison County.

Referred to the Committee on Roads.

And.

H. B. 791, A bill to be entitled An act to repeal chapter 322, Public-Local Laws of 1931, being An act to create a Board of Health for Madison County. Referred to the Committee on Health.

By Mr. Woodfin: H. B. 792, A bill to be entitled An act to authorize the Board of Aldermen of the Town of Taylorsville to refund the bonded indebtedness of said Town on a basis of the ability of the taxpayers to pay said indebtedness.

Referred to the Committee on Finance.

And.

H. B. 793, A bill to be entitled An act to provide for a close season for six years for hunting game in Alexander County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Woodfin (by request): H. B. 794, A bill to be entitled An act to prevent drunkenness in Alexander County.

Referred to the Committee on Propositions and Grievances.

By Mr. Cowles: H. B. 795, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Wilkes County from the Absentee Voters Law.

Referred to the Committee on Election Laws.

By Mr. Eaton: H. B. 796, A bill to be entitled An act to permit the Commissioners of the Town of East Bend, or the Trustees of the East Bend Baptist Church, Yadkin County to remove bodies to the Benbow Chapel Colored Cemetery.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Cox, Froneberger and Makepeace: H. B. 797, A bill to be entitled An act to appoint a Board of Agriculture and define its duties.

Referred to the Committee on Agriculture.

By Mr. Thompson of Beaufort: H. B. 798, A bill to be entitled An act to allow counties and other units to invest in bonds of their said unit.

Referred to the Committee on Judiciary No. 2.

By Mr. Lee: H. B. 799, A bill to be entitled An act authorizing the Commissioner of Sampson County to retire Sinking Fund loans with county bonds.

Referred to the Committee on Finance.

And,

H. B. 800, A bill to be entitled An act regulating the fee for capturing stills in Sampson County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 801, A bill to be entitled An act authorizing partial payments on taxes in Sampson County.

Referred to the Committee on Finance.

By Messrs. Tatem and Flanagan: H. B. 802, A bill to be entitled An act to amend Chapter 448 of the Public Laws of 1931 relating to cartways, so as to include neighborhood public roads.

Referred to the Committee on Roads.

By Mr. Tatem: H. B. 803, A bill to be entitled An act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

Referred to the Committee on Finance.

By Messrs. Everett and Brawley: H. B. 804, A bill to be entitled An act to fix the compensation of jurors in Durham County.

Referred to the Committee on Salaries and Fees.

By Mr. Garibaldi: H. B. 805, A bill to be entitled An act to provide the regulation of peddlers in the City of Charlotte, North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

The question recurs upon the adoption of the Committee substitute.

The Committee substitute is adopted.

The question now recurs upon the passage of the substitute bill on its several readings.

Mr. Gattis offers an amendment, which is adopted.

The question now recurs upon the passage of the substitute bill as amended on its several readings.

The substitute bill as amended passes its second and third readings and is ordered Engrossed and sent to the Senate.

The original bill is laid on the table.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 233, A bill to be entitled An act to amend chapter 46, Private Laws 1915, relating to the election of a Mayor and Commissioners of the Town of Smithfield, Johnston County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 239, A bill to be entitled An act providing for the appointment of a cotton-weigher for the Town of Clinton, Sampson County.

On motion of Mr. Lee, the bill is recommitted to the Committee on Counties, Cities and Towns.

Committee substitute for:

H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Passes its third reading, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Mr. Crews makes a motion that the vote by which the bill passed its third reading be reconsidered, and that this motion do lie upon the table.

It is so ordered.

H. B. 252, A bill to be entitled An act to require the State Highway Commission to maintain all marked state highways through the cities and towns.

An amendment offered by Mr. Moore is adopted.

As amended, the bill fails to pass its third reading.

Mr. Moss moves that the vote by which the bill failed to pass its third reading be reconsidered, and that this motion do lie upon the table.

It is so ordered.

H. B. 540, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

On motion of Mr. Wilson the bill is recommitted to the Committee on Finance.

Committee substitute for:

H. B. 655, A bill to be entitled An act to establish the Department of Justice, and to prescribe and define the duties thereof.

Committee substitute adopted and remains on the Calendar for its further consideration until next Wednesday, March 8.

H. B. 674, A bill to be entitled An act to amend section 6300 of the Consolidated Statutes relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

On motion of Mr. Makepeace the bill is made a third Special Order for Tuesday, March 7.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 222, An act to amend chapter 93, of the 1921 Public Laws, relating to the payment to the Clerk of the Superior Court of sums of money, not exceeding \$300 due and owing to persons dying intestate.

H. B. 461, An act to fix the compensation of the members of the Board of County Commissioners of Macon County.

H. B. 561, An act to repeal chapter 45 of the Public Laws of 1929, An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina, as to Halifax County.

H. B. 622, An act to provide for jury trials in the Recorder's Court of Cleveland County sitting at Kings Mountain.

H. B. 649, An act to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months Grand Jury in Henderson County.

H. B. 650, An act to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

On motion of Mr. Morphew, H. B. 543, A bill to be entitled An act to authorize and empower the Board of County Commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said Bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County, is recalled from the Committee on Banks and Banking, and placed on the Calendar.

On motion of Mr. Turner of Guilford, S. B. 138, A bill to be entitled An act to prohibit the sale of convict-made goods, is recalled from the Committee on Penal Institutions, and placed on the Calendar.

On motion of Mr. Thompson of Beaufort, H. B. 425, A bill to be entitled An act to amend chapter 72, Public Laws 1931, amending section 1659, Consolidated Statutes, relative to ground for absolute divorce, is ordered recalled from the Senate, for further consideration by the House.

Mr. Murphy makes a motion that when the House adjourns today it do so out of respect for United States Senator Thomas J. Walsh, recently selected by the President-elect for appointment as Attorney General of the United States, and who died while passing through North Carolina today.

It is so ordered, and on motion of Mr. Doughton, the House adjourns and will meet tomorrow at 11 o'clock.

### FIFTY-FIRST DAY

House of Representatives, Friday, March 3, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. S. N. Scheifer of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Hamilton, for the Committee on Propositions and Grievances:

H. B. 437, A bill to be entitled An act to amend chapter 466, Public-Local Laws of North Carolina, Session of 1929, relating to pool rooms.

With a favorable report.

By Mr. Gattis, for the Committee on Health:

H. B. 766, A bill to be entitled An act to amend section 6760 of the Consolidated Statutes, relative to applicants to practice veterinary medicine and surgery in Vance and Warren counties.

And,

H. B. 689, A bill to be entitled An act to grant license to practice pharmacy in North Carolina to P. B. Hardee.

And,

H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases.

With unfavorable reports.

And,

S. B. 184, A bill to be entitled An act to amend section 5003 (1), chapter 87-A of the Consolidated Statutes relating to autopsy.

With a favorable report,

And.

S. B. 190, A bill to be entitled An act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

With unfavorable report as to bill, with a minority report attached.

By Mr. Young for the Committee on Courts and Judicial Districts:

H. B. 722, A bill to be entitled An act to amend section 1443, Volume III of the Consolidated Statutes, relating to the courts in Avery County.

And.

S. B. 261, A bill to be entitled An act to amend chapter 158 of Public-Local Laws of 1911 and chapter 353 of the Public-Local Laws of 1931, relative to the Recorder's Court of Vance County.

And.

S. B. 210, A bill to be entitled An act to confer civil jurisdiction upon the County Recorder's Court of Watauga County.

And,

H. B. 607, A bill to be entitled An act denying the right of jury trial in the Superior Courts of Bertie County in criminal causes in cases appealed thereto from the General Court of said county in those cases in which a jury trial has been had in said General County Court, and providing that such appeals shall be heard on cases stated as now provided in appeals from said County in civil causes.

And,

H. B. 753, A bill to be entitled An act to amend chapter 27, sub-chapter 2, of the Consolidated Statutes, relating to the time of holding a term of the Superior Court, and affecting the County of Pender.

With favorable reports.

By Mr. Warlick, for the Committee on Judiciary No. 2:

H. B. 719, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

And.

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H. B. 798, A bill to be entitled An act to allow counties and other units to invest in bonds of their said unit.

With favorable reports.

And,

H. B. 350, A bill to be entitled An act to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents.

H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts.

And,

H. B. 556, A bill to be entitled An act to amend section 1589 of the Consolidated Statutes, relating to Recorders' Courts.

With unfavorable reports as to bills; favorable as to the Committee substitutes.

By Mr. McEachern, for the Committee on Agriculture:

H. B. 731, A bill to be entitled An act to facilitate the sale and consumption of North Carolina farm products.

With a favorable report.

And.

H. B. 797, A bill to be entitled An act to appoint a Board of Agriculture and define it duties.

With favorable report, and on motion of Mr. Sigmon, the bill is recommitted to the Committee on Agriculture.

And,

H. B. 767, A bill to be entitled An act to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

With a favorable report.

On motion of Mr. Davis, the bill is placed on its immediate passage.

Passes second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Doughton, for the Committee on Finance:

H. B. 803, A bill to be entitled An act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

H. B. 769, A bill to be entitled An act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

And.

H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session, 1931, relating to five cents special tax levy in Alexander County.

H. B. 783, A bill to be entitled An act to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County and towns therein

at tax sales and to provide an extension of the time within which to pay delinquent taxes.

And,

H. B. 788, A bill to be entitled An act empowering and authorizing the Town of Saluda in its discretion to cancel the indebtedness or any part thereof due by any church or religious body or charitable association owning property within the corporate limits of said city.

With favorable reports.

By Mr. Brawley, for the Committee on Reorganization of State Government:

S. B. 93, A bill to be entitled An act to abolish the Corporation Commission and to create the office of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

With a favorable report.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

Committee substitute for:

H. B. 221, A bill to be entitled An act to provide for the organization as as agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Doughton, Harris and Etheridge: H. B. 806, A bill to be entitled An act to protect depositors in banking corporations of the State of North Carolina and to conserve the assets of such institutions.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Davis: H. B. 807, A bill to be entitled An act regulating hunting license in Hyde County.

Referred to the Committee on Game.

By Mr. Womble: H. B. 808, A bill to be entitled An act to amend chapter 51, Public Laws of 1927, relating to open season on raccoon and opossum.

Referred to the Committee on Game.

By Mr. Ruark: H. B. 809, A bill to be entitled An act to reduce the membership of the Board of Commissioners of Brunswick County.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 810, A bill to be entitled An act to exempt Brunswick County from paying for livestock killed by dogs.

Referred to the Committee on Propositions and Grievances.

By Mr. Moye: H. B. 811, A bill to be entitled An act to amend H. B. 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

Referred to the Committee on Judiciary No. 2.

By Mr. Warlick: H. B. 812, A bill to be entitled An act to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the Stock Law.

Referred to the Committee on Judiciary No. 2.

By Mr. Hutchins: H. B. 813, A bill to be entitled An act to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction by the Supreme Court.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Phillips: H. B. 814, A bill to be entitled An act to extend time for beginning actions against A. J. Fagg, former Clerk of Superior Court of Stokes County, and his official bond.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Douglass: H. B. 815, A bill to be entitled An act to safeguard bank deposits; to repeal the double liability of stockholders in banks; and to give additional regulatory authority to the Commissioner of Banks; and for other purposes.

Referred to the Committee on Banks and Banking.

By Mr. Neal: H. B. 816, A bill to be entitled An act relating to the payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County.

Referred to the Committee on Finance.

By Mr. Beasley: H. B. 817, A bill to be entitled An act to allow the Commissioners of Union County to extend time of paying 1932 taxes by citizens of Marvin, where crops were destroyed by hail.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

## MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 306, A bill to be entitled An act to amend sections 6, 7 and 10, chapter 435, of the Public-Local Laws of 1913, relating to the fees of officers of Catawba County.

Referred to the Committee on Salaries and Fees.

S. B. 309, A bill to be entitled An act for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light townships, in the County of Wake.

Referred to the Committee on Counties, Cities and Towns.

S. B. 310, A bill to be entitled An act, increasing the number of Commissioners of Northampton County, and creating five districts for the nomination of said Commissioners.

Referred to the Committee on Counties, Cities and Towns.

S. B. 230, A bill to be entitled An act to repeal chapter 99, of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

Referred to the Committee on Propositions and Grievances.

S. B. 268, A bill to be entitled An act to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State Hospitals and charitable institutions.

Referred to the Committee on Appropriations.

S. B. 281, A bill to be entitled An act to enable counties to establish district jails.

Referred to the Committee on Finance.

S. B. 301, A bill to be entitled An act to permit the County of Robeson and any municipality of Robeson County to accept United States Government bonds, North Carolina State bonds and such other obligations of governing agencies as may be approved by Local Government Commission as securities for deposits in lieu of surety bonds.

Referred to the Committee on Finance.

### SPECIAL MESSAGES

SENATE CHAMBER, March 2, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. 96, "To amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto, and chapter 130 of the Consolidated Statutes, consolidating State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission," and requests a conference thereon.

The President has appointed as conferees on the part of the Senate: Senators Moore and Clement.

Respectfully.

LEROY MARTIN,

Clerk of the Senate.

In compliance with the above message, the Speaker appoints as conferees on the part of the House: Messrs. Brawley, Cherry and O'Berry, and the Senate is so notified.

SENATE CHAMBER,

Mr. Speaker:

March 2, 1933.

It is ordered that a message be sent to your Honorable Body with the information that the Senate has adopted the conferees' report on S. B. 85, "To amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law," and having received a mes-

sage that similar action has been taken by your body, the bill has been ordered Enrolled for ratification.

# Respectfully,

LeRoy Martin,

Clerk of the Senate.

On motion of Mr. Doughton, H. B. 708, A bill to be entitled An act to relieve depression in North Carolina by declaring a two-year moratorium on open accounts due and owing in North Carolina, is taken from the Unfavorable Calendar, and recommitted to the Committee on Finance.

On motion of Mr. Everett, H. B. 737, A bill to be entitled An act to establish a Public Relief Commission for the purpose of receiving and administering public relief funds, is recalled from the Committee on Public Welfare and placed on the Calendar.

Mr. Thompson of Columbus makes a motion that the vote by which H. B. 425, A bill to be entitled An act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce, passed its third reading be reconsidered, and that the consideration of this motion be postponed until Tuesday, March 7.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 390, A bill to be entitled An act to exempt Davie County from the provisions of chapter 119, Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 438, A bill to be entitled An act to provide for the mortgage or sale of estates held by the entireties, where the wife or the husband or both may become mentally incompetent.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 473, A bill to be entitled An act to regulate the departmental service, office hours, leaves of absence and extra compensation.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 638, A bill to be entitled An act to repeal the Absentee Voting Laws in the primaries.

A Committee Amendment is adopted.

On motion of Mr. Binford, the bill and amendment are laid on the table.

H. B. 543, A bill to be entitled An act to authorize and empower the Board of County Commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said Bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Session

H. B. 544, A bill to be entitled An act to repeal the Absentee Ballot Law for Yadkin County, North Carolina.

Mr. Eaton offers a substitute for the bill.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 654, A bill to be entitled An act to amend H. B. 190, being "An act to repeal the Absentee Ballot Law for Yancey County," so as to add Clay County to its provisions.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 783, A bill to be entitled An act to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 672, A bill to be entitled An act for the relief of W. C. Rape.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 787, A bill to be entitled An act to repeal chapter 147 of the Public-Local Laws of 1931, and establishing the office of Tax Collector, and redefining the duties of the Sheriff of Polk County, and fixing his salary.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 227, A bill to be entitled An act to repeal the Absentee Ballot Law for Mitchell County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 271, A bill to be entitled An act for the relief of delinquent taxpayers of the Town of Mount Airy, in Surry County, and to provide for deferring foreclosure actions on sales of property heretofore made for nonpayment of taxes, etc.

Passes its second and third readings, and is ordered Enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 85, An act to amend chapter 119, Pubic Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

S. B. 233, An act to amend chapter 46, Private Laws 1915, relating to the election of a Mayor and Commissioners of the Town of Smithfield, Johnston County.

H. B. 234, An act to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales, and to validate sales made thereunder.

H. B. 253, An act for the relief of sheriffs and tax collectors.

H. B. 300, An act to amend section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the Clerk of the Superior Court to force Commissioners appointed by said Clerk of the Superior Court in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said Commissioner or Commissioners.

H. B. 301, An Act to amend section 106 of the Consolidated Statutes of North Carolina, relating to the service of process issued under said section.

H. B. 302, An act to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

H. B. 416, An act making the Register of Deeds of Macon County, North Carolina, Public Accountant for said County.

H. B. 449, An act for the adoption of a standard form of agricultural lien and title note and fixing the fees for recording same in Beaufort County.

H. B. 572, An act amending chapter 381 of the Public-Local Laws of North Carolina, Session 1923, providing for the appointment of Financial Agents for the County of Scotland.

H. B. 580, An act to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County.

H. B. 581, An act to fix the fees to be collected by the Clerk of the Superior Court of Jackson County.

H. B. 591, An act to validate the official acts of Mrs. Rose McNeill Jones, a Notary Public, and Mrs. Irene Dimmette Barker, a Notary Public, both of Wilkes County.

H. B. 620, An act to permit the Commissioners of Graham County to purchase an automobile for use of said county.

H. B. 686, An act to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of Tax Collector of Union County.

H. B. 691, An act to amend section 2649 of the Consolidated Statutes of North Carolina, so as to make same applicable to the City of Shelby, North Carolina.

H. B. 728, An act applying to the collection of taxes in Brunswick County. H. B. 806, An act to protect depositors in banking corporations of the State of North Carolina and to conserve the assets of such institutions.

On motion of Mr. Cherry, the House adjourns until ten o'clock tomorrow.

# FIFTY-SECOND DAY

House of Representatives, Saturday, March 4, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. W. Davidson, of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The Speaker appoints Robinson Everett, son of R. O. Everett of Durham County an Honorary Page of the House.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

S. B. 236, A bill to be entitled An act to ratify and validate extension of benefit assessments in Town of Cherryville, North Carolina.

And,

H. B. 816, A bill to be entitled An act relating to payment of indebtedness of Special Charter School Districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County.

And,

S. B. 206, A bill to be entitled An act to amend chapter 402, being, "An act to authorize, empower and direct the Sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes," and to add the Counties of Buncombe, Haywood, and Rowan to the provisions of said act.

And,

S. B. 237, A bill to be entitled An act to authorize the Board of School Commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

And.

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

And.

S. B. 281, A bill to be entitled An act to enable counties to establish district jails.

With favorable reports.

And.

H. B. 540, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

With an unfavorable report.

And.

S. B. 301, A bill to be entitled An act to permit the County of Robeson and any municipality of Robeson County to accept United States Government bonds, North Carolina State bonds and such other obligations of governing agencies as may be approved by Local Government Commission as securities for deposits in lieu of surety bonds.

With a favorable report as amended.

### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 438, A bill to be entitled An act to provide for the mortgage or sale of estates held by the entireties where the wife or the husband or both may become mentally incompetent.

H. B. 473, A bill to be entitled An act to regulate the departmental service, office hours, leaves of absence and extra compensation.

H. B. 783, A bill to be entitled An act to provide for the redemption of real estate purchased by Hertford, Hyde, or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes. (Applicable also to Gates, Pasquotank and Chowan counties.)

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Braddy: H. B. 818, A bill to be entitled An act authorizing the Board of Commissioners of Bladen County to continue terms of court.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 316, A bill to be entitled An act to amend Senate Bill No. 11, ratified January 17, 1933, it being An act to repeal chapter 212, Public-Local Laws 1929, abolishing the office of Tax Collector in Haywood County and providing for the collection of the taxes in said county.

On motion of Mr. Howell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 321, A bill to be entitled An act to validate process and proceedings by L. S. Thompson, a Justice of the Peace of Beaufort County, from August 1, 1930, to January 15, 1933.

Referred to the Committee on Judiciary No. 2.

S. B. 325, A bill to be entitled An act to repeal chapter 123, Public-Local Laws 1921, and chapter 28, Public-Local Laws 1929, relating to fees of Sheriff for capturing illicit distilleries in Mitchell County.

Referred to the Committee on Salaries and Fees.

S. B. 326, A bill to be entitled An act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Onslow County to lay off homesteads.

Referred to the Committee on Judiciary No. 2.

S. B. 256, A bill to be entitled An act to amend chapter 2 of Consolidated Statutes of 1919, relating to the adoption of minors.

Referred to the Committee on Judiciary No. 1.

S. B. 288, A bill to be entitled An act amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

Referred to the Committee on Judiciary No. 1.

S. B. 293, A bill to be entitled An act relating to the payment of street improvement assessments in the Town of Selma.

Referred to the Committee on Finance.

H. B. 602, A bill to be entitled An act to amend Section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 695, A bill to be entitled An act requiring clerks of the Superior Court to give notice to legatees and devisees.

Placed on the Calendar for concurrence in the Senate amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 210, A bill to be entitled An act to confer civil jurisdiction upon the County Recorder's Court of Watauga County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 722, A bill to be entitled An act to amend section 1443, Volume III, of the Consolidated Statutes relating to the courts in Avery County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Gardner, the House adjourns, and will meet Monday night at 8:00 o'clock.

## FIFTY-THIRD DAY

House of Representatives, Monday Night, March 6, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. R. Walker of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the stame stands approved.

The courtesies of the floor are extended to Mr. George R. Ward of Duplin County, former Member of the House.

Leave of absence is granted Mr. Warlick until Tuesday, March 8.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Everett: H. B. 819, A bill to be entitled An act to establish a consolidated governing body for the City of Durham and Durham County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Womble: H. B. 820, A bill to be entitled An act to reduce the salaries of the office holders of Wake County, and to provide for a more efficient collection of back taxes of the said County of Wake.

Referred to the Committee on Salaries and Fees.

And

H. B. 821, A bill to be entitled An act to repeal chapter 40, Private Laws of 1874-1875, repealing the charter of the Town of Morrisville, Wake County. Referred to the Committee on Judiciary No. 2.

And,

H. B. 822, A bill to be entitled An act to regulate and fix the salaries of the elective officials of the City of Raleigh, the City Attorney and the Prosecuting Attorney.

Referred to the Committee on Salaries and Fees.

By Mr. Johnson of Pender: H. B. 823, A bill to be entitled An act to confer emergency powers upon the Insurance Commissioner.

On motion of Mr. Johnson of Pender, the rules are suspended, and the bill is placed on its immediate passage.

Mr. Murphy offers an amendment which is adopted.

As amended, the bill passes its second and third readings, and is sent to the Senate without Engrossment.

By Mr. Galloway (by request): H. B. 824, A bill to be entitled An act to repeal chapter 532, Public-Local and Private Laws of 1927, the same being An act to provide for better enforcement of the Prohibition Law in Polk and Transylvania counties.

Referred to the Committee on Propositions and Grievances.

By Mr. Davis: H. B. 825, A bill to be entitled An act to amend chapter 372, Public Local Laws of 1931, relating to notices of public sales and fore-closure sales in Hyde County and Gates County.

Referred to the Committee on Finance.

By Mr. Sullivan: H. B. 826, A bill to be entitled An act to repeal section 17, of chapter 142, Public-Local Laws of 1927, the same being An act regulating Justices of the Peace in Buncombe County.

Referred to the Committee on Judiciary No. 2.

By Mr. Hoyle (by request): H. B. 827, A bill to be entitled An act for the relief of Fannie Rayle.

Referred to the Committee on Pensions.

By Mr. Ledford: H. B. 828, A bill to be entitled An act to place Mrs. Zadie Brown of Clay County on the Confederate Pension Roll.

Referred to the Committee on Pensions.

And,

H. B. 829, A bill to be entitled An act to place Mrs. Lillie Johnson of Clay County on the Confederate Pension Roll.

Referred to the Committee on Pensions.

And.

H. B. 830, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in Clay County.

Referred to the Committee on Propositions and Grievances.

And,

H. B. 831, A bill to be entitled An act to fix the salaries of the officers of Clay County, and to place the same on a fee basis beginning the first Monday in December, 1934.

Referred to the Committee on Salaries and Fees.

By Mr. Cover: H. B. 832, A bill to be entitled An act to amend chapter 109, Public-Local Laws of 1931, relating to a Jury Commission for Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 833, A bill to be entitled An act to appoint trustees for Andrews School District in Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Crews: H. B. 834, A bill to be entitled An act to amend subsection (b) of section 109, chapter 427, Public Laws of 1931, so as to permit cities and towns to levy a license tax on the profession of photography.

Referred to the Committee on Finance.

And,

H. B. 835, A bill to be entitled An act to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, Notary Public for Forsyth County, appointed by His Excellency, the Governor of North Carolina, O. Max Gardner, July 24, 1930.

Referred to the Committee on Judiciary No. 1.

By Mr. Cowles: H. B. 836, A bill to be entitled An act to authorize the State Superintendent of Public Instruction to pay from the Tax Reduction Fund the balance due certain school teachers in Wilkes County on salaries for the year 1931-1932.

Referred to the Committee on Appropriations.

By Mr. Sprinkle: H. B. 837, A bill to be entitled An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisements.

Referred to the Committee on Judiciary No. 1.

By Mr. Lumpkin: H. B. 838, A bill to be entitled An act to amend sections 106 and 151 of chapter 427 of the Public Laws of 1931, relating to license taxes for circuses, shows and outdoor advertising.

Referred to the Committee on Finance.

## SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 274, A bill to be entitled An act, amending chapter 28 of the Public Laws of North Carolina, Extra Session, 1924, regulating the compensation of the members of the Grand Jury of Scotland County.

Referred to the Committee on Salaries and Fees.

S. B. 298, A bill to be entitled An act to abolish wards in the City of Goldsboro and provide for the nomination and election at large of a Mayor and five Aldermen for said city.

On motion of Mr. O'Berry, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 329, A bill to be entitled An act to provide for banking holidays and to conserve and protect the assets and resources of banking corporations.

On motion of Mr. Etheridge, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

### SPECIAL MESSAGE

SENATE CHAMBER, March 6, 1933.

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body respectfully requesting the return to the Senate of S. B. 180, "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates."

# Respectfully,

LEROY MARTIN, Principal Clerk.

On motion of Mr. Sullivan, the bill is ordered returned to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for:

H. B. 350, A bill to be entitled An act to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 607, A bill to be entitled An act denying the right of jury trial in the Superior Courts of Bertie County in criminal causes in cases appealed thereto from the General Court of said County in those cases in which a jury trial has been had in said General County Court and providing that such appeals shall be heard on cases stated as now provided in appeals from said County in civil causes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 753, A bill to be entitled An act to amend chapter 27, sub-chapter 2, Consolidated Statutes, relating to the time of holding term of the Superior Court and affecting the County of Pender.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 769, A bill to be entitled An act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 788, A bill to be entitled An act empowering and authorizing the Town of Saluda in its discretion to cancel the indebtedness, or any part therof due by any church or religious body or charitable association owning property within the corporate limits of said City.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 803, A bill to be entitled An act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 236, A bill to be entitled An act to ratify and validate extension of benefit assessments in Town of Cherryville, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 261, A bill to be entitled An act to amend chapter 158 of the Public-Local Laws of 1911, and chapter 353 of the Public-Local Laws of 1931, relative to the Recorder's Court in Vance County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 301, A bill to be entitled An act to permit the County of Robeson, and any municipality of Robeson County, to accept the United States Government bonds, North Carolina State bonds, and such other obligations of governing agencies as may be approved by Local Government Commission, as securities for deposits in lieu of surety bonds.

As amended, the bill passes its second reading, and remains on the Calendar.

S. B. 99, A bill to be entitled An act to amend chapter 124 of the Public Laws of North Carolina, Session 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

Passes its second and third readings, and is ordered Enrolled.

H. B. 602, A bill to be entitled An act to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

For concurrence in the Senate amendment.

On motion of Mr. Bender, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 695, A bill to be entitled An act requiring Clerks of the Superior Court to give notice to legatees and devisees.

For concurrence in the Senate amendment.

On motion of Mr. Rouse, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

H. B. 216, A bill to be entitled An act to repeal the State-wide Primary Law.

A minority report having been filed, the question now recurs upon the adoption of said report.

The minority report fails of adoption, the bill thereby going on the Unfavorable Calendar.

S. B. 93, A bill to be entitled An act to abolish the Corporation Commission and to create the office of Utilities Commissioner, and to prescribe and define the functions, powers, and duties of such Utilities Commissioner.

On motion of Mr. Cherry, further consideration of the bill is postponed until tomorrow.

## SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration, H. B. 261, a bill to be entitled An act to promote the better enforcement of the Prohibition Laws, and the Eighteenth Amendment.

Mr. Beasley offers an amendment which is adopted.

Mr. Galloway offers an amendment which is lost.

The question now recurs upon the passage of the bill, as amended, on its second reading. Upon this question Mr. Watson calls for the "ayes" and "noes." The call is sustained, and the bill, as amended, fails to pass its second reading by the following vote:

Those voting in the affirmative are: Messrs. Beasley, Bowie, Boyd, Brawley, Cover, Culpepper, Grant, Griffin, Hoyle, Lee, Mizzell, Morphew, Murphy, Neal, Newman, Sullivan, Taylor of Currituck, Taylor of Mecklenburg and Turner of Guilford—19.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock, of Wayne, Barden, Bender, Berryman, Binford, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Graeber, Graham, Greene, Hamilton, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Moore, Moye, McEachern, Oaks, O'Berry, Olive, Phillips, Pope, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—75.

The following pairs are announced:

Mr. Young with Mr. Ray—were Mr. Young present, he would vote "aye," Mr. Ray would vote "no."

Mr. Cowles with Mr. Stevens—were Mr. Stevens present, he would vote "aye," Mr. Cowles would vote "no."

Mr. Cox with Mr. Randolph—were Mr. Randolph present, he would vote "aye," Mr. Cox would vote "no."

H. B. 719, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

Passes second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Froneberger, Galloway, Gardner, Gari-

baldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

S. B. 237, A bill to be entitled An act to authorize the Board of School Commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

H. B. 816, A bill to be entitled An act relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus,

Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103. Those voting in the negative are: None.

# ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 210, An act to confer civil jurisdiction upon the County Recorder's Court of Watauga County.

S. B. 227, An act to repeal the Absentee Ballot Law for Mitchell County.

S. B. 316, An act to amend Senate bill No. 11, ratified January 17, 1933, it being An act to repeal chapter 212, Public-Local Laws 1929, abolishing the office of Tax Collector in Haywood County and providing for the collection of the taxes in said county.

S. B. 271, An act for the relief of delinquent taxpayers of the Town of Mount Airy, in Surry County, and to provide for deferring foreclosure actions on sales of property heretofore made for non-payment of taxes, etc.

H. B. 287, An act to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a Criminal Court to be called a Criminal Court for the County of Scotland."

H. B. 293, An act to amend the law relating to the Recorder's Court for the County of Brunswick.

H. B. 297, An act to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

H. B. 328, An act to amend certain sections of article 4, chapter 37, of the Consolidated Statutes of North Carolina, relating to license fees and taxes upon the fishing industry of the State.

H. B. 330, An act to amend section 1443, Volume III, of the Consolidated Statutes, relating to the courts in Jackson County.

H. B. 331, An act to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump or other distributing device other than those of the manufacturer or distributor indicated by the name, trade mark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes.

H. B. 408, An act to amend section 1608 (cc) of the Consolidated Statutes regulating appeals from the General County Court to the Superior Court.

H. B. 439, An act to amend chapter 281 of the Public Laws of 1931 so as to prevent Clerk of the Superior Court from loaning trust funds.

H. B. 432, An act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

H. B. 430, An act to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

- H. B. 485, An act to amend chapter 442, Public-Local Laws 1931, relative to issuance and filing of pleadings in claim and delivery actions.
- H. B. 500, An act to amend section 160 of Consolidated Statutes relating to payment of burial expenses from assets derived from wrongful act.
- H. B. 412, An act to amend section 4149 of the Consolidated Statutes of North Carolina relating to the probate of wills.
- H. B. 519, An act to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.
- H. R. 523, A joint resolution of the General Assembly of North Carolina approving the purposes of the Century of Progress Exposition to be held at Chicago from June first to November, 1933, and to authorize the participation of the State of North Carolina therein and to call upon the people of the State for moral and financial coöperation.
- H. R. 524, Joint resolution commending Congressman E. W. Pou for his patriotic speech advocating plenary power be given President-elect Roosevelt to reduce governmental costs.
- H. B. 531, An act to authorize and empower the Town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.
- H. B. 573, An act regulating the jurisdiction of the Superior Court of Scotland County.
- H. B. 577, An act to amend chapter 128 of the Private Laws of 1931, relating to the Tribal Council of the Eastern Band of Cherokee Indians.
- H. B. 585, An act to amend chapter 316, Public Local Laws of 1929, and chapter 451, Public-Local Laws of 1931, relative to delinquent taxpayers in Craven County, and to reënact the same as amended.
- H. B. 593, An act providing for the appointment of a special deputy sheriff for the Village of Caraleigh, Raleigh Township.
- H. B. 648, An act to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.
- H. B. 669, An act to amend chapter 168 of the Public-Local Laws, Session of 1931, being "An act to create a Jury Commission for the County of Yancey."
- H. B. 671, An act to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County.
  - H. B. 672, An act for the relief of W. C. Rape.
- H. B. 685, An act to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of deputy sheriffs in Union County.
- H. B. 696, An act to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake, in Hyde County.
- H. B. 723, An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County.
- H. B. 726, An act relating to payment of township highway bonds in McDowell County.
- H. B. 817, An act to allow the Commissioners of Union County to extend time of paying 1932 taxes by citizens of Marvin, where crops were destroyed by hail.
- H. B. 818, An act authorizing the Board of Commissioners of Bladen County to continue terms of court,

On motion of Mr. Cherry, the House adjourns, and will meet tomorrow at 11:00 o'clock.

# FIFTY-FOURTH DAY

House of Representatives, Tuesday, March 7, 1933.

The Speaker being absent, the House is called to order by Principal Clerk Thad Eure, who calls Mr. Cherry, designated by Speaker Harris to act as Speaker Pro Tem, to the Chair.

Prayer by Rev. C. J. Hollandsworth of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Newman, for the Committee on Appropriations:

H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes; and to reduce salaries of officers, employees and agents.

With an unfavorable report as to bill; favorable report as to Committee Substitute.

On motion of Mr. Newman, the bill is made a Special Order for Friday morning, March 10.

By Mr. Brawley, for the Committee on Judiciary No. 1:

H. B. 661, A bill to be entitled An act to eliminate certain conflicts in the motor vehicle laws and to place certain violations of the motor vehicle law within the jurisdiction of a justice of the peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 230 of the Public Laws of 1927.

And.

H. B. 835, A bill to be entitled An act to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, Notary Public for Forsyth County, appointed by His Excellency, the Governor of North Carolina. O. Max Gardner, July 24, 1930.

And,

S. B. 257, A bill to be entitled An act to amend the charter of the Town of Wilson.

And,

S. B. 278, A bill to be entitled An act to amend the charter of the City of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the City of Winston-Salem.

With favorable reports.

And,

S. B. 288, A bill to be entitled An act amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

With a favorable report as amended.

And,

H. B. 645, A bill to be entitled An act to authorize Clerks of Superior Courts to determine and allow attorneys' fees wherein real property is sold by administrators, executors or commissioners in any judicial or special proceeding.

And,

H. B. 429, A bill to be entitled An act to amend section 437, sub-section 2, of the Consolidated Statutes, relating to actions for personal judgments against makers of notes or bonds for the purchase money of lands.

And,

H. B. 643, A bill to be entitled An act regulating the qualifications of any person who executes a criminal bond, etc.

And,

H. B. 508, A bill to be entitled An act to amend the Rules of Evidence relating to trials in the courts of North Carolina.

And,

H. B. 665, A bill to be entitled An act to secure the attendance of witnesses from without the State in criminal cases.

And,

S. B. 192, A bill to be entitled An act to permit debtors seeking equitable relief to avail themselves of the statutes pertaining to usury.

And,

S. B. 234, A bill to be entitled An act to amend the Consolidated Statutes with reference to restoration to citizenship.

With unfavorable reports.

And,

H. B. 427, A bill to be entitled An act to provide for the examination, certification and licensing of shorthand reporters of all Courts of Record in the State of North Carolina, and creating a Board of Examiners therefor.

With unfavorable report as to bill; Committee substitute reported without prejudice.

And,

H. B. 744, A bill to be entitled An act to repeal chapter 181, Private Laws, 1901, incorporating the Town of Angier, in Harnett County.

The Committee recommends that the bill be recommitted to the Committee on Counties, Cities and Towns.

It is so ordered.

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

With a favorable report, as amended.

And

S. B. 121, A bill to be entitled An act to amend chapter 120, Public Laws, 1929, the same being known as "The Workmen's Compensation Act," so as to

provide that employers and employees of electric street railroads may come under the provisions thereof.

With a favorable report.

By Mr. Bowie, for the Committee on Election Laws:

H. B. 693, A bill to be entitled An act to amend Consolidated Statutes 6055, sub-section a26, and Consolidated Statutes 6055, sub-section a27, as applicable to holding general elections in Brunswick County.

With a favorable report.

### HOUSE RESOLUTION

A House Resolution offered by Mr. Murphy, endorsing "Blind" Johnson for the job of Assistant Doorkeeper to the United States Senate, is adopted.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Davis, Thompson of Beaufort and Warlick: H. B. 839, A bill to be entitled An act to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

Referred to the Committee on Commercial Fisheries.

By Mr. Davis: H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District.

Referred to the Committee on Drainage.

By Mr. Wilson: H. B. 841, A bill to be entitled An act to authorize the Commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county.

Referred to the Committee on Finance.

By Mr. Bean: H. B. 842, A bill to be entitled An act to authorize the governing body of the Town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Culpepper: H. B. 843, A bill to be entitled An act relative to costs in certain criminal cases in the Courts of Pasquotank County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Galloway: H. B. 844, A bill to be entitled An act to amend article VII, section 9 of the Constitution of North Carolina and for the removal of all taxes from the homes of the poor.

Referred to the Committee on Constitutional Amendments.

By Mr. Barden: H. B. 845, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Craven County to accept county vouchers in payment of taxes.

Referred to the Committee on Finance.

By Mr. Olive: H. B. 846, A bill to be entitled An act to amend chapter 490, Private Acts of the General Assembly, 1907, so as to permit police officers of the Town of Denton to serve process one mile beyond the limits of the Town of Denton.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 847, A bill to be entitled An act to amend chapter 676 of the Public-Local Laws of 1913, "An act creating a Recorder's Court for the Town of Denton and Emmons Township," so as to increase the jurisdiction of said Court.

Referred to the Committee on Courts and Judicial Districts. And.

H. B. 848, A bill to be entitled An act to amend the charter of the City of Lexington and validate certain acts of the City of Lexington.

Referred to the Committee on Judiciary No. 1.

By Mr. Froneberger: H. B. 849, A bill to be entitled An act to amend chapter 149, Public Laws of 1927, the same being "An act to provide laws governing the sale of stocks, bonds and other securities in the State of North Carolina, and repeal chapter 190, Public Laws of 1925."

Referred to the Committee on Judiciary No. 2.

By Mr. Cover: H. B. 850, A bill to be entitled An act for the relief of debtors in the State of North Carolina and to regulate procedure in actions for deficiency judgments.

Referred to the Committee on Judiciary No. 1.

### MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Referred to the Committee on Finance.

S. B. 263, A bill to be entitled An act relating to appropriation and anticipation of school maintenance and other funds in the City of Burlington.

On motion of Mr. Gilliam, the bill is placed on the Calendar.

S. B. 328, A bill to be entitled An act to appoint the County Accountant of Catawba County as Tax Collector.

Referred to the Committee on Counties, Cities and Towns.

S. B. 335, A bill to be entitled An act for the relief of the Bank of Franklin and its depositors.

On motion of Mr. Ingram, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

S. B. 330, A bill to be entitled An act relating to the payment of withdrawals and matured stock in building and loan associations.

On motion of Mr. Massenburg, the rules are suspended, and the bill is placed on its immediate passage.

An amendment offered by Mr. Scarborough is lost.

The bill passes its second and third readings, and is ordered Enrolled.

### SPECIAL MESSAGE

SENATE CHAMBER, March 2, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request, we are returning, here-

with, H. B. 425, to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

Mr. Thompson of Columbus moves that the vote by which the bill passed its third reading be reconsidered.

The motion to reconsider the vote by which the bill passed its third reading fails of adoption, and the bill is returned to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for:

H. B. 420, A bill to be entitled An act to abolish the Corporation Commission and establish the office of Commissioner of Public Utilities.

On motion of Mr. Boyd, the bill and Committee substitute are laid on the table.

H. B. 437, A bill to be entitled An act to amend chapter 466 of the Public-Local Laws of North Carolina, Session, 1929, relating to pool rooms.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts.

Committee substitute adopted.

Passes its second reading, and remains on the Calendar.

Committee substitute for:

H. B. 556, A bill to be entitled An act to amend section 1589 of the Consolidated Statutes, relating to Recorder's Courts.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 729, A bill to be entitled An act to abolish the Absentee Ballot Law in primaries.

A Committee amendment is adopted.

Amendments offered by several Members are adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 731, A bill to be entitled An act to facilitate the sale of and consumption of North Carolina farm products.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

# UNFINISHED BUSINESS

The Speaker lays before the House, for its further consideration, S. B. 93, A bill to be entitled An act to abolish the Corporation Commission, and to

create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

The question now recurs upon the passage of the bill on its several readings.

The bill passes its second and third readings, and is ordered Enrolled.

#### SPECIAL ORDERS

The hour for the first Special Order having arrived, the Speaker lays before the House, for its consideration, H. B. 262, A bill to be entitled An act to regulate the business of transporting property for compensation by motor vehicles operated over the public highways of the State.

On motion of Mr. Newman, consideration of the bill is postponed, and the bill is made a Special Order for Thursday, March 9.

The hour for the second Special Order having arrived, the Speaker lays fore the House, for its consideration, H. B. 263, A bill to be entitled An act amending Chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws of 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of the public highways by motor trucks, semi-trailer trucks, semi-trailers and trailers; to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this act.

On motion of Mr. Newman, consideration of the bill is postponed, and the bill is made a Special Oorder for Thursday, March 9.

The hour for the third Special Order having arrived, the Speaker lays before the House, for its consideration, H. B. 774, A bill to be entitled An act to amend the North Carolina Game Law.

Mr. Lumpkin offers an amendment.

Mr. O'Berry offers an amendment.

Mr. Johnson of Chatham offers an amendment.

On motion of Mr. Makepeace, further consideration of the bill is postponed until tomorrow's session, and the bill remains on the Calendar.

H. B. 816, A bill to be entitled An act relating to payment of indebtedness of special and special charter school districts, incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax,

Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Wilson, Womble, Woodall and Woodfin—104.

Those voting in the negative are: None.

S. B. 237, A bill to be entitled An act to authorize the Board of School Commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

Passes its third reading by the following vote and is ordered Enrolled:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglas, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Wilson, Womble, Woodall and Woodfin—104.

Those voting in the negative are: None.

On motion of Mr. Graham, H. B. 785, A bill to be entitled An act to repeal the charter of the Town of Rutherford College, Burke County, is taken from the Committee on Education and recommitted to the Committee on Counties, Cities and Towns.

On motion of Dr. Douglass, H. B. 87, A bill to be entitled An act to provide for the payment of taxes in monthly installments in Wake County, is taken from the Committee on Finance and recommitted to the Committee on Counties, Cities and Towns.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 329, An act to provide for banking holidays and to conserve and protect the assets and resources of banking corporations.

H. B. 823, An act to confer emergency powers upon the Insurance Commissioner.

S. B. 330, An act relating to the payment of withdrawals and matured stock in building and loan associations.

On motion of Mr. Cherry, the House adjourns and will meet tomorrow at eleven o'clock a.m.

## FIFTY-FIFTH DAY

House of Representatives, Wednesday, March 8, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. B. Hunter of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. T. S. Neal of Caswell County, and Mr. J. Sherwood Upchurch of Wake County, former Members of the House.

The Speaker appoints William Sidney Wilson, son of Representative Wilson of Caswell County, an Honorary Page of the House.

### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor John C. B. Ehringhaus:

March 8, 1933.

To the President of the Senate and Speaker of the House of Representatives, and Members of the General Assembly:

#### GENTLEMEN:

I feel it my duty to advise that I shall desire to address a joint session of the General Assembly in the near future, though I am at present unable to suggest a definite date. The present banking crisis has become a national one, with which the Congress of the United States must deal in the immediate future, and it seems inadvisable to present my views on matters of finance and appropriations for schools and other governmental activities until there is some further clarification of this situation, which it is anticipated will take place during the week.

Under the circumstances, I venture to recommend that you postpone, for a brief time, consideration of the revenue and finance bills. Your pending calendars no doubt will furnish ample opportunity for the satisfactory and worthwhile employment of the intervening time.

## Respectfully yours,

J. C. B. EHRINGHAUS, Governor.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 680, A bill to be entitled An act to protect persons, firms and corporations from hazards arising from defective painting and decorating on the part of contractors.

And,

H. B. 784, A bill to be entitled An act to amend sub-section (d) of section 187 of chapter 427 of the Public Laws of 1931, relating to swearing out of warrant by Revenue Commissioner instead of Sheriff.

And,

H. B. 509, A bill to be entitled An act to save the homes of distressed people in North Carolina.

And,

H. B. 781, A bill to be entitled An act reducing the term of office of the Judge of the City Court of Raleigh from a term of four years to a term of two years, amending chapter 100 of the Private Laws of 1929.

And,

H. B. 629, A bill to be entitled An act to amend chapter 430, Private Laws, 1911, and chapter 651, Public Laws, 1909, pertaining to the Municipal Court of Greensboro, North Carolina.

With unfavorable report.

And,

H. B. 811, A bill to be entitled An act to amend H. B. 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

And,

H. B. 812, A bill to be entitled An act to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the Stock Law.

And,

H. B. 826, A bill to be entitled An act to repeal section 17 of chapter 142 of Public-Local Laws, 1927, the same being An act regulating Justices of the Peace in Buncombe County.

And.

S. B. 321, A bill to be entitled An act to validate process and proceedings by L. S. Thompson, a Justice of the Peace of Beaufort County, from August 1, 1930, to January 15, 1933.

And,

H. B. 849, A bill to be entitled An act to amend chapter 149, Public Laws of 1927, the same being entitled "An act to provide laws governing the sale of stocks, bonds and other securities in the State of North Carolina, and repeal chapter 190, Public Laws of 1925."

And,

H. B. 757, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof, and the extension for bringing foreclosure actions in Swain County, in North Carolina.

And,

H. B. 662, A bill to be entitled An act to amend section 3243 of the Consolidated Statutes relative to sales.

With favorable reports.

And,

H. B. 821, A bill to be entitled An act to repeal chapter 40, Private Laws, 1874-1875, repealing the charter of the Town of Morrisville, Wake County.

The Committee recommends that the bill be recommitted to the Committee on Counties. Cities and Towns.

It is so ordered.

And,

H. B. 436, A bill to be entitled An act to amend chapter 64, Public Laws of 1929, and for the relief of J. H. Harwood.

With unfavorable report, with a minority report attached.

By Mr. Graham, for the Committee on Education:

H. B. 733, A bill to be entitled An act to amend chapter 94, Public-Local Laws of 1931, relating to duties of the Board of Education of Madison County. With a favorable report.

By Mr. Hamilton, for the Committee on Propositions and Grievances:

H. B. 477, A bill to be entitled An act to amend section 3401 of the Consolidated Statutes, as amended, so as to reduce the fee paid for capturing stills in Warren County.

And,

S. B. 260, A bill to be entitled An act to repeal chapter 176 of the Public-Local Laws of 1927, relative to sale of fireworks or other explosives in Vance County.

And,

S. B. 54, A bill to be entitled An act to place a bounty upon the scalps of coyotes, wildcats and crows killed in Macon County.

And,

H. B. 830, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in Clay County.

And,

H. B. 367, A bill to be entitled An act to prohibit the setting of steel traps in Greene County.

And,

H. B. 810, A bill to be entitled An act to exempt Brunswick County from paying for livestock killed by dogs.

And.

H. B. 794, A bill to be entitled An act to prevent drunkenness in Alexander County.

And,

H. B. 590, A bill to be entitled An act to prohibit the carrying of/or exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.

And,

H. B. 786, A bill to be entitled An act to regulate the operation of dance and recreation halls in Buncombe County.

And

H. B. 745, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredation of domestic fowls in certain counties.

And.

S. B. 231, A bill to be entitled An act to amend chapter 775, Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.

With favorable reports.

By Mr. Moye, for the Committee on Justices of the Peace.

S. B. 130, A bill to be entitled An act relating to the election of Justices of the Peace for the County of Wayne.

With a favorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns.

H. B. 842, A bill to be entitled An act to authorize the governing body of the Town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

And.

S. B. 309, A bill to be entitled An act for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light townships in the County of Wake.

And,

H. B. 814, A bill to be entitled An act to extend the time for beginning actions against A. J. Fagg, former Clerk of Superior Court of Stokes County, and his official bond.

And,

H. B. 809, A bill to be entitled An act to reduce the membership of the Board of Commissioners of Brunswick County.

And.

H. B. 785, A bill to be entitled An act to repeal the charter of the Town of Rutherford College, Burke County.

With favorable reports.

And,

H. B. 139, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

With unfavorable report.

By Mr. Makepeace, for the Committee on Game:

H. B. 279, A bill to be entitled An act to protect game and fur-bearing animals in Beaufort County and prevent the extermination thereof.

With unfavorable report as to bill; favorable report as to the Committee substitute.

By Mr. Olive, for the Committee on Finance:

H. B. 26, A bill to be entitled An act to amend chapter 134, Public Laws, 1931, in so far as it affects Swain County.

And.

H. B. 109, A bill to be entitled An act to amend section 2 of chapter 427, Public Laws, 1931, reducing amount of exemption of proceeds of life insurance policies from Inheritance Tax.

And,

H. B. 708, A bill to be entitled An act to relieve depression in North Carolina by declaring a two-year moratorium on open accounts due and owing in North Carolina.

And,

H. B. 716, A bill to be entitled An act to extend the time for tax sales in Brunswick County and City of Southport.

And.

H. B. 792, A bill to be entitled An act to authorize the Board of Aldermen of the Town of Taylorsville to refund the bonded indebtedness of said town on a basis of the ability of the taxpayers to pay said indebtedness.

And.

H. B. 834, A bill to be entitled An act to amend sub-section (b) of section 109, chapter 427, Public Laws, 1931, so as to permit cities and towns to levy a license tax on the profession of photography.

And,

H. B. 838, A bill to be entitled An act to amend sections 106 and 151 of chapter 427, Public Laws, 1931, relating to license taxes for circuses, shows and outdoor advertising.

With unfavorable reports.

And.

H. B. 755, A bill to be entitled An act to facilitate the collection and payment of taxes in Swain County.

And,

H. B. 799, A bill to be entitled An act authorizing the Commissioners of Sampson County to retire sinking fund loans with County bonds.

And.

H. B. 841, A bill to be entitled An act to authorize the Commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county. And.

H. B. 845, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Craven County to accept county vouchers in payment of taxes.

And.

H. B. 308, A bill to be entitled An act to prohibit the levying of any tax upon tangible property of any kind for State purposes and especially repealing the present fifteen-cent tax levy by the State for schools.

And.

H. B. 515, A bill to be entitled An act to amend section 109, chapter 427, Public Laws, 1931, relative to a license tax on photographers.

With favorable reports.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 729, A bill to be entitled An act to abolish the Absentee Ballot Law in primaries.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Spruill: H. B. 851, A bill to be entitled An act to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the Town of Aulander.

Referred to the Committee on Election Laws.

By Mr. Hutchins: H. B. 852, A bill to be entitled An act to fix the amount of the official bond of the Clerk of the Superior Court of Yancey County.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 853, A bill to be entitled An act to provide conditions under which a Farm Agent or Farm Demonstrator may be employed in Yancey County.

Referred to the Committee on Agriculture.

And,

H. B. 854, A bill to be entitled An act to amend chapter 476, Public-Local Laws of 1929, relating to fishing in Yancey County.

Referred to the Committee on Conservation and Development.

By Mr. Cameron: H. B. 855, A bill to be entitled An act to amend chapter 61, Public-Local Laws of 1929, relating to the salary of the officers of Moore County.

Referred to the Committee on Salaries and Fees.

By Messrs. Watson and Moss: H. B. 856, A bill to be entitled An act relating to the Superior Courts of Nash County.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered sent to Senate without Engrossment.

By Mr. Rouse: H. B. 857, A bill to be entitled An act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Hamilton: H. B. 858, A bill to be entitled An act to authorize, empower and direct the Tax Collector of Carteret County to accept county vouchers in payment of taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 859, A bill to be entitled An act to allow certain discounts in the payment of delinquent taxes in Morehead City and the County of Carteret.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 860, A bill to be entitled An act authorizing the Town of Morehead City to establish a Port Commission for the said town, to prescribe the duties

of the said Commission, and to authorize the said town to coöperate with the said Commission in carrying out the purpose and intents of this act.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 861, A bill to be entitled An act to amend the charter of the Town of Morehead City, so as to provide for the election of the Chief of Police.

Referred to the Committee on Judiciary No. 1.

By Mr. Arndt: H. B. 862, A bill to be entitled An act fixing the salary of the Court Stenographer of Catawba County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Johnson of Chatham: H. B. 863, A bill to be entitled An act to amend chapter 122, section 29 of the Public Laws of 1927, relative to motor vehicle license.

Referred to the Committee on Roads.

By Messrs. Cowles, Brock, Eaton, Sprinkle, Monroe, Greene and Ledford: H. B. 864, A bill to be entitled An act to amend chapter 51, Public Laws of 1927, and chapter 278, Public Laws of 1929, and to restore to the citizens of the Counties of Wilkes, Davie, Yadkin, Madison, Mitchell, Montgomery, Avery and Clay their ancient right and privilege to hunt upon their own lands and fish in the waters thereon, and to extend the same right and privilege in writing to their friends, without having to procure hunting or fishing license therefor.

Referred to the Committee on Game.

By Messrs. Hoyle, Moore and Turner of Guilford: H. B. 865, A bill to be entitled An act to amend chapter 651, Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 866, A bill to be entitled An act to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

Referred to the Committee on Finance.

By Mr. Womble: H. B. 867, A bill to be entitled An act to validate the official acts of W. A. Brame, a Justice of the Peace for Mark's Creek Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1932.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Eaton: H. B. 868, A bill to be entitled An act to provide a close season for four years for hunting quail or partridge in Yadkin County.

Referred to the Committee on Game.

By Mr. Sprinkle: H. B. 869, A bill to be entitled An act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy.

Referred to the Committee on Judiciary No. 1.

By Messrs. McEachern, Barden and Johnson of Pender: H. B. 870, A bill to be entitled An act to consolidate the activities of the Department

of Agriculture with the extension work of State College of the University of North Carolina.

Referred to the Committee on Reorganization of State Government.

By Messrs. Graham and Thompson of Robeson: H. B. 871, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race of Robeson County.

Referred to the Committee on Penal Institutions.

By Mr. Cox (by request): H. B. 872, A bill to be entitled An act to require sanitary conditions in ice cream plants and all other public places not exempt in this act, where frozen dairy products are manufactured, stored and handled for food purposes, and to repeal that part of chapter 169, Laws of 1921, and that part of article 20, Consolidated Statutes of 1924, that applies to the manufacture of ice cream.

Referred to the Committee on Agriculture.

By Messrs. Crews, James and Cox: H. B. 873, A bill to be entitled An act to fix fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Culpepper: H. B. 874, A bill to be entitled An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

Referred to the Committee on Propositions and Grievances.

And,

H. B. 875, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

Referred to the Committee on Finance.

By Mr. Moye: H. B. 876, A bill to be entitled An act to require the County Commissioners of Greene County to make a horizontal cut of fifty per cent in the valuation of all real property in said county, and to limit the rate of taxation on said property.

Referred to the Committee on Finance.

By Mr. Galloway: H. B. 877, A bill to be entitled An act placing the names of widows of Confederate Pensioners on the State Pension Roll.

Referred to the Committee on Pensions.

And,

H. B. 878, A bill to be entitled An act to place the name of I. S. Fisher on the State Pension Roll.

Referred to the Committee on Pensions.

By Mr. Murphy: H. B. 879, A bill to be entitled An act to provide for a Convention to consider and pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment thereof, as submitted by the Seventy-second Congress.

Referred to the Committee on Constitutional Amendments.

On motion of Mr. Murphy, the bill is ordered printed.

By Mr. Thompson of Columbus: H. B. 880, A bill to be entitled An act providing for renewal of notes and mortgages due Columbus County.

Referred to the Committee on Counties, Cities and Towns.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 380, A bill to be entitled An act to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion.

Placed on the Calendar for concurrence in the Senate amendments.

On motion of Mr. Doughton of Alleghany, the House concurs in the Senate amendments, and the bill is ordered Enrolled.

H. B. 389, A bill to be entitled An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

For concurrence in the Senate amendment.

On motion of Mr. Barden, the House fails to concur in the Senate amendment, and asks for a conference. The Chair appoints as conferees on the part of the House: Messrs. Barden, Neal and Wilson, and the Senate is so notified.

H. B. 451, A bill to be entitled An act to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents.

Placed on the Calendar for concurrence in the Senate amendments.

S. B. 115, A bill to be entitled An act to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

Referred to the Committee on Regulation of Public-Service Corporations. S. B. 294, A bill to be entitled An act to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

Referred to the Committee on Appropriations.

S. B. 312, A bill to be entitled An act to amend chapter 146, Public Laws, 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.

Referred to the Committee on Finance.

S. B. 315, A bill to be entitled An act relative to the incorporated boundary line of the Town of Bakersville, and to authorize and empower the Clerk of the Superior Court of Mitchell County to appoint successors to members of the Board of Aldermen of said town who may resign.

Referred to the Committee on Counties, Cities and Towns.

S. B. 337, A bill to be entitled An act to amend the charter of the Town of Morganton as contained in Chapter 104 of the Private Laws of 1913, as amended by chapter 108 of the Private Laws, 1921, Extra Session, Private Laws 1923.

On motion of Mr. Garrou, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 338, A bill to be entitled An act to regulate the payment of rewards for the seizure of stills in Burke County.

On motion of Mr. Garrou, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 346, A bill to be entitled An act regulating the compensation of the Sheriff of Bladen County.

On motion of Mr. Braddy, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 347, A bill to be entitled An act providing for the continuance of farm and home demonstration work in Bladen County.

On motion of Mr. Braddy, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 301, A bill to be entitled An act to permit the County of Robeson and any municipality of Robeson County to accept United States Government bonds, North Carolina State bonds, and such other obligations of governing agencies as may be approved by Local Government Commission as securities for deposits in lieu of surety bonds.

On motion of Mr. Graham, the vote, by which the Committee amendment was adopted, is reconsidered.

The question now recurs upon the adoption of the Committee amendment.

The Committee amendment fails of adoption.

The bill passes its third reading, and is ordered Enrolled.

Substitute for: H. B. 676, A bill to be entitled An act to amend chapter 427 of the Public-Local Laws of 1927, relating to the salary of the Chairman of the Board of County Commissioners of Guilford County.

A substitute for the bill offered by Mr. Turner of Guilford is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 835, A bill to be entitled An act to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, Notary Public for Forsyth County, appointed by His Excellency, the Governor of North Carolina, O. Max Gardner, July 24, 1930.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 693, A bill to be entitled An act to amend Consolidated Statutes No. 6055, sub-section (a26), and Consolidated Statutes No. 6055, sub-section (a27), as applicable to holding general elections in Brunswick County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 257, A bill to be entitled An act to amend the charter of the Town of Wilson.

Passes its second and third readings, and is ordered Enrolled.

H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

On motion of Mr. Makepeace, the bill is recommitted to the Committee on Game.

S. B. 263, A bill to be entitled An act relating to appropriation and anticipation of school maintenance and other funds in the City of Burlington.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, and Woodall—105.

Those voting in the negative are: None.

S. B. 278, A bill to be entitled An act to amend the charter of the City of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the City of Winston-Salem.

As amended, the bill passes its second reading by the following vote, and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, and Woodall—105.

Those voting in the negative are: None.

# UNFINISHED BUSINESS

The Speaker lays before the House H. B. 770, A bill to be entitled An act to amend chapter 428, Public Laws, 1931, being An act to provide for the listing and the valuing of all property, real, personal and mixed, at its real value in money.

On motion of Mr. Doughton, the House resolves itself into a Committee of the Whole, for the purpose of considering the bill, section by section. The Speaker appoints the Gentleman from Rowan, Mr. Murphy, as Chairman of the Committee.

After consideration by the Committee, on motion of Mr. Ewing, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following report for the Committee:

# Mr. Speaker:

The Committee having under consideration H. B. 770, The Machinery Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: Section 1, as amended once by amendment of Mr. Rouse.

Section 2 has been debated, but consideration of same has not yet been completed. Several amendments were proposed; only one, the amendment offered by Mr. Bowie, was adopted.

MR. MURPHY, Chairman.

The House adopts the report of the Committee.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 99, An act to amend chapter 124 of the Public Laws of North Carolina, Session 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

S. B. 236, An act to ratify and validate extension of benefit assessments in Town of Cherryville, North Carolina.

S. B. 237, An act to authorize the Board of School Commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

S. B. 261, An act to amend chapter 158 of the Public-Local Laws of 1911 and chapter 353 of the Public-Local Laws of 1931, relative to the Recorder's Court in Vance County.

S. B. 298, An act to abolish wards in the City of Goldsboro and provide for the nomination and election at large of a Mayor and five Aldermen for said city.

S. B. 335, An act for the relief of the Bank of Franklin and its depositors. H. B. 290, An act to consolidate Charleston and Oconalufty Townships in Swain County into one township to be known as Charleston Township.

H. B. 304, An act relative to reorganization of corporations whose charters have been forfeited.

- H. B. 326, An act to repeal chapter 396, Public-Local Laws 1931, relating to place of meeting of Board of Education in Currituck County.
- H. B. 346, An act to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the County of Ashe and the County of Wilkes.
- H. B. 351, An act to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Swain County.
- H. B. 383, An act to amend section 1443 of Volume III of the Consolidated Statutes, as amended, relating to terms of court in Tyrrell County.
- H. B. 409, An act to amend section 24d of section 2 of chapter 85, Public Laws of 1924, same being An act to relieve congestion in court docket and provide for the speedy trial of cases.
- H. B. 410, An act to amend chapter 242, Public Laws, 1925, relating to removal of causes from the General County Court.
- H. B. 426, An act to authorize the County Commissioners of Greene and Hertford counties to employ some person to administer hog cholera serum and virus in Greene and Hertford counties.
- H. B. 447, An act to fix the salary of the Recorder of the Recorder's Court of Camden County.
- H. B. 486, An act to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of Clerk of Superior Court, Register of Deeds and Treasurer of said county.
- H. B. 504, An act to amend chapter 119 of the Private Laws of North Carolina of 1927, and to change the corporate boundaries of the Town of Windsor in Bertie County.
- H. B. 511, An act to repeal a portion of chapter 15, section P, of the License Schedule of the Private Laws of 1923, and to remove a discrimination against certain licensees operating in Elizabeth City and to place them upon the same basis as similar licensees operated in other parts of North Carolina.
- H. B. 514, An act to amend chapter 167, Public Laws, 1929, relating to the courts of Pasquotank County.
- H. B. 533, An act relating to the compensation of the Register of Deeds of Yancey County.
- H. B. 545, An act to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.
- H. B. 602, An act to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.
- H. B. 608, An act to appoint Trustees for the Cooper Burial Ground in Caswell County.
- H. B. 613, An act to fix and determine the salary or compensation of the Sheriff of Alleghany County and other officers thereof.
  - H. B. 615, An act to limit the pay of jurors in Pasquotank County.
- H. B. 623, An act to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the Real Estate Commission Law.
- H. B. 683, An act to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.
- H. B. 690, An act to amend chapter 194 of the Private Laws of North Carolina, Session 1901, so as to fix the date on which the officers of the City of Shelby will take their office.

H. B. 692, An act to amend chapter 351, Private Laws of 1913, relative to the charter of the Town of Dallas, North Carolina, providing for a change in the date of election of Mayor and Board of Aldermen of said town and providing for an annual audit.

H. B. 694, An act relating to the Municipal-County Court of Lenoir County. H. B. 695, An act requiring Clerks of the Superior Court to give notice to legatees and devisees.

H. B. 746, An act to abolish the office of Treasurer of Lincoln County and to designate a depository for county funds.

H. B. 761, An act requiring the Board of County Commissioners of Rutherford County to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court and County Treasurer of Rutherford County.

On motion of Mr. Brawley, S. B. 234, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship, is taken from the unfavorable Calendar, and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Berryman, H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases, is taken from the unfavorable Calendar, and recommitted to the Committee on Health.

On motion of Mr. Randolph, the House takes a recess until eight o'clock tonight.

### NIGHT SESSION

House of Representatives, Wednesday Night, March 8, 1933.

Pursuant to recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Ewing, for the Committee on Conservation and Development:

H. B. 289, A bill to be entitled An act to amend chapter 450, Public-Local Laws, Regular Session of General Assembly, 1931, relating to fishing in Tennessee River.

And,

H. B. 317, A bill to be entitled An act to prohibit seining and trapping fish in the Dan and Mayo rivers in Rockingham and Stokes counties.

With favorable reports.

And,

H. B. 700, A bill to be entitled An act to regulate the speed of boats on White Lake in Bladen County.

With a favorable report, as amended.

By Mr. Massenburg, for the Committee on Senatorial Districts:

H. B. 188, A bill to be entitled An act to amend section 6088 of Consolidated Statutes, relating to the reapportionment of the Members of the

House of Representatives of the General Assembly of North Carolina, as provided for in the Constitution of the State.

With a favorable report.

By Mr. Davis, for the Committee on Drainage:

H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District.

With a favorable report.

By Mr. Allen, for the Committee on Salaries and Fees:

S. B. 274, A bill to be entitled An act amending chapter 28 of the Public Laws of North Carolina, Extra Session, 1924, regulating the compensation of the members of the Grand Jury of Scotland County.

And.

S. B. 325, A bill to be entitled An act to repeal chapter 123, Public-Local Laws, 1921, and chapter 28, Public-Local Laws, 1929, relating to fees of Sheriff for capturing illicit distilleries in Mitchell County.

And.

H. B. 800, A bill to be entitled An act regulating the fees for capturing stills in Sampson County.

And,

H. B. 804, A bill to be entitled An act to fix the compensation of jurors in Durham County.

And.

H. B. 831, A bill to be entitled An act to fix the salaries of the officers of Clay County, and to place the same on a fee basis, beginning the first Monday in December, 1934.

And,

H. B. 855, A bill to be entitled An act to amend chapter 61, Public-Local Laws, 1929, relating to the salaries of officers of Moore County.

With favorable reports.

And.

H. B. 764, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the Sheriff of Frank-lin County.

And,

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees. And,

H. B. 763, A bill to be entitled An act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the Register of Deeds and the Clerk of the Court of Franklin County.

With favorable reports, as amended.

And,

H. B. 778, A bill to be entitled An act to reduce the salaries of the officers of Wake County by amending chapter 507 of the Public-Local and Private Laws of 1925.

With unfavorable report.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Cameron, Ewing, Barden, Johnson of Chatham and Thompson of Columbus: H. B. 881, A bill to be entitled An act to repeal any and all statutes, laws and clauses of laws, imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

Referred to the Committee on Judiciary No. 1.

By Mr. Brown: H. B. 882, A bill to be entitled An act to amend section 473, Consolidated Statutes, in regard to a special venire from an adjoining county in capital felonies.

Referred to the Committee on Judiciary No. 2.

By Mr. Cover: H. B. 883, A bill to be entitled An act to place the name of Mrs. Quince Whitaker of Cherokee County, North Carolina, widow of T. J. Whitaker, a Confederate Veteran, upon the Pension Roll.

Referred to the Committee on Pensions.

By Messrs. Randolph and Howell: H. R. 884, Joint resolution of the General Assembly of North Carolina, relating to the relief of the Counties of Haywood and Swain in the State of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

# MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 349, A bill to be entitled An act to permit the sale and use of hog cholera virus in Edgecombe County under certain conditions.

On motion of Mr. Eagles, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 344, A bill to be entitled An act for the relief of W. A. Hall, Yancey County, North Carolina.

Referred to the Committee on Judiciary No. 1.

S. B. 348, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, as amended, so that the May Term of the Superior Court of Wilson County shall be a General Term.

Referred to the Committee on Courts and Judicial Districts.

S. B. 353, A bill to be entitled An act to repeal chapter 399, Public-Local Laws, 1929, relating to hunting of foxes in Person County.

Referred to the Committee on Game.

H. B. 233, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said county.

Placed on the Calendar for concurrence in the Senate amendment.

S. B. 70, A bill to be entitled An act to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of said Commissioners and whether such expenditures were authorized and to amend chapter 48 of the Public Laws of 1927.

Referred to the Committee on Reorganization of State Government.

S. B. 311, A bill to be entitled An act to amend section 1013, Consolidated Statutes of North Carolina.

Referred to the Committee on Judiciary No. 1.

S. B. 313, A bill to be entitled An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

Referred to the Committee on Judiciary No. 1.

S. B. 324, A bill to be entitled An act to amend section 2285 of the Consolidated Statutes of North Carolina, relating to process and jury service issued under said section.

Referred to the Committee on Judiciary No. 1.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for:

H. B. 279, A bill to be entitled An act to protect game and fur-bearing animals in Beaufort County and prevent the extermination thereof.

The Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 367, A bill to be entitled An act to prohibit the setting of steel traps in Greene County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 477, A bill to be entitled An act to amend section 3401 of the Consolidated Statutes, as amended, so as to reduce the fee paid for capturing stills in Warren County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 590, A bill to be entitled An act to prohibit the carrying or exploding of dynamite cartridges and bombs except for mechanical purposes in Cherokee County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 733, A bill to be entitled An act to amend chapter 94, Public-Local Laws of 1931, relating to duties of the Board of Education of Madison County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 755, A bill to be entitled An act to facilitate the collection and payment of taxes in Swain County.

On motion of Mr. Randolph, the bill is laid on the table.

H. B. 757, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof and the extension for bringing foreclosure actions in Swain County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 785, A bill to be entitled An act to repeal the charter of the Town of Rutherford College, Burke County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 786, A bill to be entitled An act to regulate the operation of dance and recreation halls in Buncombe County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 794, A bill to be entitled An act to prevent drunkenness in Alexander County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 799, A bill to be entitled An act authorizing the Commissioners of Sampson County to retire sinking fund loans with County bonds.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 809, A bill to be entitled An act to reduce the membership of the Board of Commissioners of Brunswick County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 810, A bill to be entitled An act to exempt Brunswick County from paying for livestock killed by dogs.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 812, A bill to be entitled An act to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the Stock Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 814, A bill to be entitled An act to extend the time for beginning actions against A. J. Fagg, former Clerk of Superior Court of Stokes County, and his official bond.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 830, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in Clay County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 842, A bill to be entitled An act to authorize the governing body of the Town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 845, A bill to be entitled An act to authorize, empower and direct the Sheriff and/or Tax Collector of Craven County to accept county vouchers in payment of taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 54, A bill to be entitled An act to place a bounty upon the scalps of coyotes, wildcats and crows killed in Macon County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 130, A bill to be entitled An act relating to the election of Justices of the Peace for the County of Wayne.

Passes its second and third readings, and is ordered Enrolled.

S. B. 231, A bill to be entitled An act to amend chapter 775, Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 260, A bill to be entitled An act to repeal chapter 176, Public-Local Laws, 1927, relative to sale of fireworks or other explosives in Vance County. Passes its second and third readings, and is ordered Enrolled.

S. B. 309, A bill to be entitled An act for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light Townships in the County of Wake.

Passes its second and third readings, and is ordered Enrolled.

S. B. 321, A bill to be entitled An act to validate process and proceedings by L. S. Thompson, a Justice of the Peace of Beaufort County, from August 1, 1930, to January 15, 1933.

Passes its second and third readings, and is ordered Enrolled.

·H. B. 770, A bill to be entitled An act to amend chapter 428 of the Public Laws of 1931, being An act to provide for the listing and the valuing of all property, real, personal and mixed, at its real value in money.

On motion of Mr. Cherry, further consideration of the bill is postponed until Friday, March 10.

Substitute for:

H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts.

Passes its third reading, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 343, A bill to be entitled An act to amend and add to sub-section 14, section 34, chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

On motion of Mr. Ewing, further consideration of the bill is postponed until after the Appropriation Bill has been disposed of.

Committee substitute for:

H. B. 427, A bill to be entitled An act to provide for the examination, certification and licensing of shorthand reporters of all Courts of Record in the State of North Carolina, and creating a Board of Examiners therefor.

The Committee substitute is adopted.

On motion of Mr. Smith, the bill and substitute are laid on the table.

Committee substitute for:

H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation by the acquisition of the Great Smoky Mountains National Park.

Committee substitute adopted.

An amendment offered by Mr. Randolph is adopted.

As amended, the bill fails to pass its second reading by the following vote: Those voting in the affirmative are: Messrs, Bean, Bender, Brawley, Brown, Cameron, Crews, Everett, Ewing, Froneberger, Griffin, Hamilton, Howell, Hutchins, Ingram, Lee, Lumpkin, Mebane, Murphy, Neal, Phillips, Randolph, Rouse, Scarborough, Sprinkle, Spruill, Sullivan and Tompkins—27.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Berryman, Binford, Bowie, Boyd, Braddy, Cherry, Coffey, Cover, Cowles, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, English, Etheridge, Falkner, Flanagan, Gardner, Garibaldi, Gatling, Gilliam, Grady, Graham, Greer, Groves, Haynes, James, Johnson of Chatham, Martin, Mizzell, Monroe, Moss, Moye, McEachern, O'Berry, Olive, Pope, Sigmon, Smith, Stevens, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Woodall and Woodfin—62.

Mr. Everett makes a motion that when the House adjourns it do so in honor of the memory of the late Anton J. Cermak, Mayor of Chicago, who died this week in Florida.

It is so ordered, and on motion of Mr. Watson, the House adjourns, and will meet at eleven o'clock tomorrow.

### FIFTY-SIXTH DAY

House of Representatives, Thursday, March 9, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. M. A. Barber of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. Wilbur Dosher of New Hanover County, Mr. Clem G. Wright of Guilford County, and Mr. Julius Brown of Pitt County, former Members of the House.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 861, A bill to be entitled An act to amend the charter of the Town of Morehead City so as to provide for the election of Chief of Police.

And,

H. B. 848, A bill to be entitled An act to amend the charter of the City of Lexington and validate certain acts of the City of Lexington.

And.

H. B. 846, A bill to be entitled An act to amend chapter 490, Private acts of the General Assembly, 1907, so as to permit police officers of the Town of Denton to serve process one mile beyond the limits of the Town of Denton. And.

H. B. 852, A bill to be entitled An act to fix the amount of the official bond of the Clerk of the Superior Court of Yancey County.

S. B. 311, A bill to be entitled An act to amend section 1013, Consolidated Statutes of North Carolina.

And,

H. B. 860, A bill to be entitled An act authorizing the Town of Morehead City to establish a Port Commission for the said Town, to prescribe the duties of the said commission and to authorize the said town to coöperate with the said commission in carrying out the purposes and intents of this act.

And

H. B. 881 A bill to be entitled An act to repeal any and all statutes, laws, and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

And

H. B. 837, A bill to be entitled An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisement.

With favorable reports.

And,

S. B. 344, A bill to be entitled An act for the relief of W. A. Hall, Yancey County, North Carolina.

With a favorable report, and on motion of Mr. Hutchins, the bill is recommitted to the Committee on Judiciary No. 1.

And,

H. B. 601, A bill to be entitled An act to submit to the qualified voters of North Carolina the question of the sale of light wines and beers provided the same shall have been legalized by Congress.

And

H. B. 255, A bill to be entitled An act to legalize the sale of light wines and beers in North Carolina and place a tax thereon to take effect upon the legalization of the sale of said beverages by an Act of Congress.

And,

H. B. 518, A bill to be entitled An act to prohibit the State and its subdivisions from taking and appropriating private properties without just compensation.

With unfavorable reports.

And,

H. B. 54, A bill to be entitled An act to repeal chapter 1, Public Laws, 1923, commonly known as "The Turlington Act."

With an unfavorable report, with a minority report attached.

By Mr. Doughton of Alleghany, for the committee on Finance:

H. B. 875, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

And,

H. B. 651, A bill to be entitled An act for the relief of Roy G. Walker, Ex-Sheriff of Davie County, authorizing the collection of back taxes due said Sheriff.

And.

H. B. 825, A bill to be entitled An act to amend chapter 372, Public-Local Laws, 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.

And.

S. B. 287, A bill to be entitled An act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

And,

S. B. 312, A bill to be entitled An act to amend chapter 146, Public Laws, 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.

And.

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

And

S. B. 293, A bill to be entitled An act relating to the payment of street improvement assessments in the Town of Selma.

With favorable reports.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 819, A bill to be entitled An act to establish a consolidated governing body for the City of Durham and Durham County.

And.

S. B. 242, A bill to be entitled An act to amend the charter of the City of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government and for other purposes.

And,

S. B. 328, A bill to be entitled An act to appoint the county accountant of Catawba County as tax collector.

With favorable reports.

And.

S. B. 262, A bill to be entitled An act creating the office of Tax Collector in Cumberland County.

With a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Ledford: H. B. 885, A bill to be entitled An act to make the provisions of section 1864 of Volume III of the Consolidated Statutes relating to depredations of domestic fowls applicable to Clay County.

Referred to the Committee on Propositions and Grievances.

And,

H. B. 886, A bill to be entitled An act providing that all stockholders of closed banks in Clay County be required to pay only one stock assessment.

Referred to the Committee on Banks and Banking.

By Mr. Boswell: H. B. 887, A bill to be entitled An act to declare a moratorium for two years on sales under execution against stockholders in closed State Banks in North Carolina.

Referred to the Committee on Banks and Banking.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

S. B. 238, A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors.

Referred to the Committee on Reorganization of State Government.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 289, A bill to be entitled An act to amend chapter 450, Public-Local Laws, Regular Session of General Assembly 1931, relating to fishing in Tennessee River.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 317, A bill to be entitled An act to prohibit seining and trapping fish in the Dan and Mayo rivers in Rockingham and Stokes counties.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 700, A bill to be entitled An act to regulate the speed of boats on White Lake in Bladen County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 763, A bill to be entitled An act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the Register of Deeds and the Clerk of the Court of Franklin County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 764, A bill to be entitled An act to amend chapter 3291 of the Public-Local Laws of 1931 for the reduction of the salary of the Sheriff of Franklin County.

As amended the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 800, A bill to be entitled An act regulating the fee for capturing stills in Sampson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 804, A bill to be entitled An act to fix the compensation of jurors in Durham County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 811, A bill to be entitled An act to amend House bill 90 entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 831, A bill to be entitled An act to fix the salaries of the officers of Clay County and to place the same on a fee basis beginning the first Monday in December, 1934.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 855, A bill to be entitled An act to amend chapter 61, Public-Local Laws of 1929, relating to the salary of the officers of Moore County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 274, A bill to be entitled An act amending chapter 28 of the Public Laws of North Carolina, Extra Session 1924, regulating the compensation of the members of the Grand Jury of Scotland County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 325, A bill to be entitled An act to repeal chapter 123, Public-Local Laws 1921, and chapter 28, Public-Local Laws 1929, relating to fees of Sheriff for capturing illicit distilleries in Mitchell County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 451, A bill to be entitled An act to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents.

For concurrence in the Senate amendment.

On motion of Mr. Womble, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 233, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said County.

For concurrence in the Senate amendment.

On motion of Mr. Greer, the House fails to concur in the Senate amendment, and asks that a Conference Committee be appointed.

The Speaker appoints as Conferees on the part of the House: Messrs. Allen, Martin and Greene, and the Senate is so notified.

H. B. 798, A bill to be entitled An act to allow counties and other units to invest in bonds of their said unit.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 263, A bill to be entitled An act relating to appropriation and anticipation of school maintenance and other funds in the City of Burlington.

Passes its third reading by the following vote and is ordered Enrolled:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—99.

Those voting in the negative are: None.

H. B. 841, A bill to be entitled An act to authorize the Commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Murphy, McEachern,

Neal, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—99.

Those voting in the negative are: None.

S. B. 278, A bill to be entitled An act to amend the charter of the City of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the City of Winston-Salem.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House amendment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Everett, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—99.

Those voting in the negative are: None.

### SPECIAL ORDER

The hour for the first Special Order having arrived, the Speaker lays before the House for its consideration H. B. 262, A bill to be entitled An act to regulate the business of transporting property for compensation by motor vehicles operated over the public highways of the State.

The question recurs upon the adoption of the Committee substitute.

The Committee substitute is adopted.

An amendment offered by Mr. Lumpkin is lost.

An amendment offered by Mr. Tompkins is adopted.

An amendment offered by Mr. Morphew is adopted.

Two amendments offered by Mr. Taylor of Mecklenburg are adopted.

An amendment offered by Mr. Turner of Guilford is adopted.

Two amendments offered by Mr. Woodall are adopted.

Two Committee amendments are adopted.

The question now recurs upon the passage of the substitute bill, as amended, on its second reading.

Upon this Mr. Young calls for the "ayes" and "noes." The call is sustained, and the substitute bill, as amended, fails to pass its second reading by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Binford, Boswell, Cox, Crews, Doughton of Alleghany, Douglass, Eagles, Edwards, English, Everett, Flanagan, Graeber, Graham, Grant, Groves, Hamilton, Howell, Hutchins, James,

Johnson of Pender, Makepeace, Martin, Mizzell, Morphew, Moss, Murphy, Neal, Newman, O'Berry, Rouse, Scarborough, Sprinkle, Sullivan, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White and Young—48.

Those voting in the negative are: Messrs. Allen, Barden, Beasley, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Coffey, Cover, Cowles, Culpepper, Davis, Dees, Dowtin of Warren, Eaton, Etheridge, Falkner, Galloway, Gardner, Garibaldi, Garrou, Grady, Greene, Griffin, Hoyle, Ingram, Johnson of Chatham, Lee, Monroe, Moye, McEachern, Phillips, Pope, Randolph, Ray, Smith, Spruill, Stevens, Taylor of Mecklenburg, Thompson of Columbus, Turner of Guilford, Williams, Wilson, Womble, Woodall and Woodfin—48.

The following pairs are announced:

Mr. Cherry with Mrs. Mebane—were Mrs. Mebane present, she would vote "aye," Mr. Cherry would vote "no."

Mr. Olive with Mr. Lumpkin—were Mr. Lumpkin present, he would vote "no," Mr. Olive would vote "aye."

Mr. Gatling with Mr. Taylor of Currituck—were Mr. Gatling present, he would vote "aye," Mr. Taylor would vote "no."

Mr. Gardner makes a motion that the vote by which the substitute bill failed to pass its second reading be reconsidered, and that this motion be laid on the table.

The motion fails of adoption.

Mr. Brawley moves that S. B. 192, a bill to be entitled An act to permit debtors seeking equitable relief to avail themselves of the Statutes pertaining to usury, be taken from the Unfavorable Calendar and recommitted to the Committee on Judiciary No. 1.

The motion fails of adoption.

On motion of Mr. Hutchins, S. B. 70, A bill to be entitled An act to require an audit of the receipts and expenditures of the Park Commission to date, and authorizing the Governor to designate a committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of said Commissioners and whether such expenditures were authorized and to amend chapter 48 of the Public Laws of 1927, is taken from the Committee on Reorganization of State Government and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Graham, H. B. 384, A bill to be entitled An act to amend section 150, Public Laws 1931, chapter 427, and section 139, Public Laws 1931, chapter 427, known as the Revenue Act, and relating to license taxes for pressing clubs, dry cleaning plants, hat blockers, and laundries, is taken from the Unfavorable Calendar, and recommitted to the Committee on Finance.

Mr. Martin makes a motion that the vote by which substitute for H. B. 213, A bill to be entitled An act to relieve the County of Swain of a portion of its bonded indebtedness by reason of its lossage in taxable valuation on the acquisition of the Great Smoky Mountains National Park, failed to pass its second reading, be reconsidered.

The motion fails of adoption.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 93, An act to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers, and duties of such Utilities Commissioner.

S. B. 257, An act to amend the charter of the Town of Wilson.

S. B. 301, An act to permit the County of Robeson and any municipality of Robeson County to accept United States Government bonds, North Carolina State bonds, and such other obligations of governing agencies as may be approved by Local Government Commission as securities for deposits in lieu of surety bonds.

S. B. 337, An act to amend the Charter of the Town of Morganton as contained in chapter 104 of the Private Laws of 1913, as amended by chapter 108 of the Private Laws of 1921 (Extra Session); Private Laws of 1923.

S. B. 338, An act to regulate the payment of rewards for the seizure of stills in Burke County.

S. B. 346, An act regulating the compensation of the Sheriff of Bladen County.

S. B. 347, An act providing for the continuance of farm and home demonstration work in Bladen County.

H. B. 380, An act to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion.

On motion of Mr. Gardner, the House takes a recess until 8:00 o'clock tonight.

# NIGHT SESSION

House of Representatives, Thursday Night, March 9, 1933.

Pursuant to recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

The Speaker appoints Donald Clay Griffin, son of Representative Griffin of Rutherford County, an Honorary Page of the House.

The courtesies of the floor are extended to Mr. John Boddie Crudup of Vance County, former Member of the House.

Mr. Edwards raises a point of no quorum, whereupon the Chair orders the doors closed and a call of the membership of the House and the absentees noted, after which the names of the absentees were verified.

On the call of the House, Members were present and absent according to the following roll call:

Members answering present are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Coffey, Cowles, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Eaton, Edwards, English, Everett, Falkner, Galloway, Gardner, Garibaldi, Graeber, Grant, Greer, Griffin, Hamilton, Haynes, Howell, Ingram, James, Ledford, Lee, Makepeace, Martin, Monroe, Moore, Neal, Newman, Pope, Randolph, Ray, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Taylor of Halifax,

Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Vann, Watson, White, Williams, Wilson, Woodall and Woodfin—70.

Members not answering are: Messrs. Aycock of Wake, Barden, Boswell, Brawley, Cherry, Cover, Cox, Dees, Dowtin of Warren, Eagles, Etheridge, Ewing, Flanagan, Froneberger, Garrou, Gatling, Gattis, Gilliam, Grady, Graham, Greene, Groves, Hoyle, Hutchins, Johnson of Chatham, Johnson of Pender, Lumpkin, Massenburg, Mebane, Mizzell, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Oaks, O'Berry, Olive, Phillips, Rouse, Stevens, Tatum, Taylor of Mecklenburg, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Warlick, Womble and Young—50.

The Chair declares a quorum present.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 880, A bill to be entitled An act providing for renewal of notes and mortgages due Columbus County.

And,

S. B. 310, A bill to be entitled An act increasing the number of Commissioners of Northampton County, and creating five districts for the nomination of said Commissioners.

With favorable reports.

And,

H. B. 740, A bill to be entitled An act to consolidate the Counties of Mitchell and Avery and to merge the same into one county unit to be known as Mitchell County.

And,

H. B. 789, A bill to be entitled An act to consolidate the office of Auditor with the office of Register of Deeds of Madison County.

With unfavorable reports.

#### ENGROSSED BILLS

Mr. Ray, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate,

It is so ordered.

H. B. 317, A bill to be entitled An act to prohibit seining and trapping fish in the Dan, Mayo and Smith rivers in Rockingham and Stokes counties.

H. B. 700, A bill to be entitled An act to regulate the speed of boats on

White Lake in Bladen County.

H. B. 751, A bill to be entitled An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

H. B. 763, A bill to be entitled An act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the Register of Deeds and the Clerk of the Court of Franklin County.

H. B. 764, A bill to be entitled An act to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the Sheriff of Franklin County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Grant and Newman: H. B. 888, A bill to be entitled An act to provide for the collection of taxes in the City of Wilmington, Town of Carolina Beach, and County of New Hanover.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 889, A bill to be entitled An act to place the officers of New Hanover County upon a salary basis, and to fix the salaries of the City Commissioners, including the Mayor.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Murphy: H. R. 890, Joint resolution endorsing the three pending World Court Treaties.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sullivan: H. B. 891, A bill to be entitled An act to repeal chapter 253 of Public-Local Laws of 1931, the same being An act to create a Board of Financial Control for Buncombe County, and certain bodies politic and municipal corporations therein, and to define the powers and duties thereof.

Referred to the Committee on Judiciary No. 2.

By Messrs. Crews, Hamilton, Watson and Moore: H. B. 892, A bill to be entitled An act to regulate the business of making small loans.

Referred to the Committee on Banks and Banking.

# SENATE MESSAGES

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 350, A bill to be entitled An act to make available to the various counties and school districts the allotments made from the tax reduction fund irrespective of the amount of ad valorem taxes collected.

On motion of Mr. Graham, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 297, A bill to be entitled An act to amend chapter 241, Public-Local Laws 1927, relative to the Real Estate Commission exempting Wake County from the provision thereof.

Referred to the Committee on Finance.

S. B. 303, A bill to be entitled An act to amend section 5178 of the Consolidated Statutes relative to penalty for non-payment of dues in building and loan associations.

Referred to the Committee on Insurance.

S. B. 332, A bill to be entitled An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes.

Referred to the Committee on Finance.

H. B. 483, A bill to be entitled An act relating to the salaries of the officers of Bertie County.

For concurrence in the Senate amendment.

On motion of Mr. Spruill, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, March 9, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed, on the part of the Senate, Senators Rankin and Moore to act as conferees with your appointees to consider the differences arising on House Bill No. 389, "To amend chapter 145, Public Laws of 1931, relating to the refund of gasoline taxes," and adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, March 9, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed, on the part of the Senate, Senators Greene and Francis to act as conferees with your appointees to consider the differences arising on House Bill 233, "To amend chapter 530, Public Laws 1931, relating to fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said County," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, March 9, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate conferees have failed to reach an agreement on the differences arising on House Bill No. 15, "To repeal chapter 129, Public Laws 1921 being An act regulating the issuance of license to marry and providing for the physical examination of appli-

cants." The President has appointed Senator MacLean as an additional conferee on the part of the Senate.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 188, A bill to be entitled An act to amend section 6088 of the Consolidated Statutes relating to the reapportionment of the Members of the House of Representatives of the General Assembly of North Carolina, as provided for in the Constitution of the State.

The bill fails to pass its second reading.

H. B. 651, A bill to be entitled An act for the relief of Roy G. Walker, Ex-Sheriff of Davie County, authorizing the collection of back taxes due said Sheriff.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 825, A bill to be entitled An act to amend chapter 372, Public-Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 837, A bill to be entitled An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisement.

On motion of Mr. Tompkins, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 846, A bill to be entitled An act to amend chapter 490, Private acts of the General Assembly of 1907, so as to permit police officers of the Town of Denton to serve process one mile beyond the limits of the Town of Denton.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 875, A bill to be entitled An act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 293, A bill to be entitled An act relating to the payment of street improvement assessments in the Town of Selma.

Passes its second and third readings, and is ordered Enrolled.

S. B. 328, A bill to be entitled An act to appoint the County Accountant of Catawba County as Tax Collector.

Passes its second and third readings, and is ordered Enrolled.

H. B. 848, A bill to be entitled An act to amend the charter of the City of Lexington and validate certain acts of the City of Lexington.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 852, A bill to be entitled An act to fix the amount of the official bond of the Clerk of the Superior Court of Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 826, A bill to be entitled An act to repeal section 17 of chapter 142 of the Public-Local Laws of 1927, the same being An act regulating Justices of the Peace in Buncombe County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 861, A bill to be entitled An act to amend the charter of the Town of Morehead City so as to provide for the election of Chief of Police.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 308, A bill to be entitled An act to prohibit the levying of any tax upon tangible property of any kind for State purposes and especially repealing the present fifteen cent tax levy by the State for schools.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Cherry, the House adjourns until 11:00 o'clock tomorrow.

# FIFTY-SEVENTH DAY

House of Representatives, Friday, March 10, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. W. Bradshaw, of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. Fred I. Sutton of Lenoir County, and Mr. Willis Smith of Wake County, former Members of the House.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 202, A bill to be entitled An act to repeal section 237 of chapter 5 of the Consolidated Statutes of North Carolina relating to individual liability of stockholders of banks.

And.

And,

H. B. 401, A bill to be entitled An act to authorize banks of deposit in certain instances to secure and protect deposits by a pledge of assets.

H. B. 403, A bill to be entitled An act to amend chapter 428, section 600, sub-sections (1) and (2) of the Public Laws of 1931, relating to the taxation of banks, banking associations and trust companies.

With unfavorable reports.

And,

H. B. 335, A bill to be entitled An act to amend section 21, chapter 4, Public Laws of 1921, and section 1, chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

With a favorable report.

And.

H. B. 760, A bill to be entitled An act to regulate the sale of certain assets of defunct banks.

With a favorable report as amended.

And,

H. B. 362, A bill to be entitled An act relating to rate of interest on monthly balances of State funds, and of funds in the hands of the Commissioner of Banks.

With unfavorable report as to bill, favorable as to the Committee substitute.

By Mr. Doughton, for the Committee on Finance.

S. B. 332, A bill to be entitled An act to authorize, empower and direct the Sheriff and other Tax Collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes. And,

H. B. 552, A bill to be entitled An act for the relief of C. D. Sawyer, Tax Collector for the Town of Robbinsville, Graham County, authorizing the collection of back taxes.

With favorable reports.

By Mr. Brown, for the Committee on Public Buildings and Grounds.

H. B. 88, A bill to be entitled An act to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

With a favorable report as amended.

By Mr. Groves, for the Committee on Manufacturing and Labor.

H. B. 634, A bill to be entitled An act to regulate the employment of male persons in industry.

And.

H. B. 682, A bill to be entitled An act to shorten the hours of toil of women in industry by amending chapter 289 of the Public Laws of 1931.

With unfavorable reports.

By Mr. Hoyle, for the Committee on Judiciary No. 2.

H. B. 882, A bill to be entitled An act to amend section 473 of the Consolidated Statutes, in regard to a special venire from an adjoining county in capital felonies.

And.

H. B. 865, A bill to be entitled An act to amend chapter 651 of the Public Laws of 1909 as amended, relating to the Municipal Court of the City of Greensboro.

And.

H. B. 678, A bill to be entitled An act to consolidate the office of County Attorney and the office of Assistant Solicitor and to make the office herein provided for elective.

And,

S. B. 326, A bill to be entitled An act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Onslow County to lay off homesteads.

With favorable reports.

And,

H. B. 542, A bill to be entitled An act to amend chapter 30, section 1659 of the Consolidated Statutes of North Carolina and all Acts amendatory thereto, relative to grounds for divorce.

With unfavorable report as to bill, favorable as to Committee substitute. And,

S. B. 169, A bill to be entitled An act for the relief of H. E. Roberts. With an unfavorable report.

By Mr. Brawley, for the Committee on Reorganization of State Government.

S. B. 238, A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the Act of 1929, chapter 218, and the Act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of Motor Vehicle Inspectors.

With a favorable report.

By Mr. Makepeace, for the Committee on Game.

H. B. 698, A bill to be entitled An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County, and providing for election of Game Commissioners.

With a favorable report.

By Mr. Hamilton, for the Committee on Propositions and Grievances.

H. B. 490, A bill to be entitled An act to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.

And,

H. B. 824, A bill to be entitled An act to repeal Chapter 532, Public-Local and Private Laws of 1927, the same being An act to provide for better enforcement of the Prohibition Law in Polk and Transylvania counties.

And,

H. B. 201, A bill to be entitled An act to repeal chapter 134, Public-Local Laws 1927, relating to enforcement of the Prohibition Law in Cherokee County.

And,

H. B. 885, A bill to be entitled An act to make the provisions of Section 1864 of Volume III of the Consolidated Statutes relating to depredations of domestic fowls, applicable to Clay County.

And,

S. B. 230, A bill to be entitled An act to repeal chapter 99, of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

And,

S. B. 56, A bill to be entitled An act to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

And,

H. B. 874, A bill to be entitled An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

And.

H. B. 707, A bill to be entitled An act to amend section 3401, Consolidated Statutes of North Carolina and section 3411 (x), Volume III, of the Consolidated Statutes of North Carolina relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections.

And,

H. B. 162, A bill to be entitled An act to repeal the dog law as applies to Swain County.

With favorable reports.

And,

H. B. 666, A bill to be entitled An act to conserve confiscated liquors to be used for medical purposes.

With an unfavorable report.

By Mr. McEachern, for the Committee on Agriculture.

H. B. 775, A bill to be entitled An act to protect the consumers of flour. With an unfavorable report.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Scarborough: H. R. 893, Joint resolution inviting the Governor to address the General Assembly.

On motion of Mr. Scarborough, the resolution is placed on its immediate passage.

An amendment offered by Mr. Hamilton is adopted.

An amendment offered by Mr. Beasley is lost.

The resolution as amended passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Haynes: H. R. 894, Joint resolution to pay expenses of the Committee from the Senate and House of Representatives visiting the State School for the Deaf at Morganton.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Vann: H. B. 895, A bill to be entitled An act to increase respect for law, lessen crime and reduce the cost of enforcing the various criminal laws of our State.

Referred to the Committee on Judiciary No. 1.

By Mr. Spruill: H. B. 896, A bill to be entitled An act to provide for jury trials in the General County Court of Bertie County, and for regulating appeals in criminal causes from said Court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

Referred to the Committee on Judiciary No. 2.

By Messrs. Moore, Johnson of Chatham, Hoyle, Vann and Turner of Guilford: H. B. 897, A bill to be entitled An act to permit the Commissioner of Motor Vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Murphy: H. B. 898, A bill to be entitled An act to provide for the allocation of State highway funds for use of repairing and maintaining the streets and roads in cities and towns.

Referred to the Committee on Roads.

By Messrs. Makepeace and McEachern: H. B. 899, A bill to be entitled An act to eliminate the mandatory requirements of any particular offices in any county or municipality.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 900, A bill to be entitled An act to declare all salaries fixed by any Act of the General Assembly to be construed as the maximum salary for said office.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 901, A bill to be entitled An act to give the Commissioners of the several counties and the governing bodies of the several municipalities of the State the power to consolidate or eliminate any and all offices not required by the Constitution and to grant to said body the power to fix salaries of all county and municipal offices.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Ewing (by request): H. B. 902, A bill to be entitled An act relating to the purchase and sale of milk bottles in Cumberland County.

Referred to the Committee on Agriculture.

By Mr. Garrou: H. B. 903, A bill to be entitled An act to repeal the charter of the Town of Connelly Springs, Burke County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Ruark: H. B. 904, A bill to be entitled An act validating sale of lands October 5, 1931, by Tax Collector, City of Southport, for unpaid 1930 taxes.

Referred to the Committee on Finance.

By Mr. Barden (by request): H. B. 905, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as "the

Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing of claims.

Referred to the Committee on Insurance.

By Messrs. Barden and Allen (by request): H. B. 906, A bill to be entitled An act to amend chapter 87, Public Laws, 1925, and all laws amendatory thereto.

Referred to the Committee on Health.

By Mr. Griffin: H. B. 907, A bill to be entitled An act to safeguard public records in North Carolina.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 908, A bill to be entitled An act to extend the powers of the police officers of the various incorporated towns in Rutherford County.

Referred to the Committee on Judiciary No. 1.

By Mr. Hutchins: H. B. 909, A bill to be entitled An act to fix the compensation of jurors in Yancey County.

Referred to the Committee on Salaries and Fees.

By Messrs. Hoyle, Moore and Turner of Guilford: H. B. 910, A bill to be entitled An act to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Culpepper: H. B. 911, A bill to be entitled An act to authorize the State Highway Commission to purchase, acquire, own, maintain and operate publicly or privately established toll bridges and ferries connecting parts of the State Highway System.

Referred to the Committee on Roads.

By Mr. White: H. B. 912, A bill to be entitled An act to prohibit the setting of steel traps in Northampton County.

Referred to the Committee on Game,

By Mr. Galloway: H. B. 913, A bill to be entitled An act to require the State Highway Commission to place certain public county roads in Transylvania County on the State maintained list, and to maintain same.

Referred to the Committee on Roads.

By Mr. Doughton: H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal and mixed at its true value in money.

On motion of Mr. Doughton, the bill is placed on the Calendar.

By Mr. Thompson of Beaufort: H. B. 915, A bill to be entitled An act to provide for the completion of the extended term in the various special tax school districts in Beaufort County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Moore, Boyd and Olive: H. B. 916, A bill to be entitled An act to amend chapter 40 A, section 2202, sub-section 10, and section 2212,

sub-section 13, of the Consolidated Statutes of North Carolina, relating to investment of funds by guardians.

Referred to the Committee on Judiciary No. 1.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 158, A bill to be entitled An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes.

For concurrence in the Senate amendment.

On motion of Mr. Wilson, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 880, A bill to be entitled An act providing for renewal of notes and mortgages due Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 262, A bill to be entitled An act creating the office of Tax Collector in Cumberland County.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

S. B. 310, A bill to be entitled An act increasing the number of Commissioners of Northampton County, and creating five districts for the nomination of said Commissioners.

Passes its second and third readings, and is ordered Enrolled.

H. B. 263, A bill to be entitled An act amending chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws of 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of the public highways by motor trucks, semi-trailer trucks, semi-trailers, and trailers; to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this act.

On motion of Mr. Womble, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies and for other purposes, and to reduce salaries of officers, employees, and agents.

On motion of Mr. Newman, consideration of the bill is postponed until Tuesday, March 14, 1933.

H. B. 54, A bill to be entitled An act to repeal chapter 1, Public Laws, 1923, commonly known as "the Turlington Act."

On motion of Mr. Cover, the bill is made a Special Order for Monday night, March 13.

S. B. 242, A bill to be entitled An act to amend the charter of the City of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government and for other purposes.

An amendment offered by Mr. Pope is lost.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Messrs, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Brawley, Brock, Coffey, Cox, Dees, Doughton of Alleghany, Douglass, Eaton, English, Etheridge, Ewing, Flanagan, Gardner, Garibaldi, Grady, Graeber, Graham, Greer, Griffin, Hoyle, Ingram, James, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Morphew, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Ruark, Scarborough, Sigmon, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Guilford, Vann, Warlick, White, Williams, Wilson, Woodall, Woodfin and Young—66.

Those voting in the negative are: Messrs. Beasley, Bender, Berryman, Binford, Braddy, Cherry, Cover, Cowles, Crews, Culpepper, Davis, Eagles, Edwards, Falkner, Galloway, Garrou, Gilliam, Grant, Greene, Haynes, Martin, Moss, Moye, Phillips, Pope, Ray, Rouse, Smith, Spruill, Thompson of Beaufort, Thompson of Robeson, Turner of Iredell, and Womble—33.

The following pair is announced: Mr. Hamilton with Mr. Gattis—were Mr. Gattis present he would vote "aye," Mr. Hamilton would vote "no."

Mr. Everett votes present.

H. B. 841, A bill to be entitled An act to authorize the Commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gilliam, Grady. Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, McLaughlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-108.

Those voting in the negative are: None.

H. B. 860, A bill to be entitled An act authorizing the Town of Morehead City to establish a Port Commission for the said town, to prescribe the duties

of the said Commission and to authorize the said town to coöperate with the said Commission in carrying out the purposes and intents of this act.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, McLaughlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-108.

Those voting in the negative are: None.

H. B. 819, A bill to be entitled An act to establish a Consolidated Governing Body for the City of Durham and Durham County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, McLaughlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Rebeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Woodfin and Young—108.

Those voting in the negative are: None.

On motion of Mr. Ewing, H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal, and mixed, at its true value in money is made a Special Order for Tuesday, March 14.

Mr. Olive moves that the vote by which H. B. 188, A bill to be entitled An act to amend section 6088 of the Consolidated Statutes, relating to the reapportionment of the Members of the House of Representatives of the General Assembly of North Carolina as provided for in the Constitution of the State, failed to pass its second reading be reconsidered, and upon this question calls for the ayes and noes.

The call is sustained, and the motion to reconsider the vote is adopted by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Barden, Berryman, Boyd, Brawley, Cherry, Coffey, Cover, Cox, Doughton of Alleghany, Dowtin of Warren, Etheridge, Everett, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Martin, Massenburg, Mizzell, Moore, Morphew, Murphy, McEachern, Oaks, Olive, Phillips, Ray, Sigmon, Sullivan, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Guilford, Vann, Warlick, Wilson, Woodall and Woodfin—54.

Those voting in the negative are: Messrs, Aycock of Wayne, Beasley, Bender, Binford, Braddy, Brock, Brown, Cowles, Crews, Dees, Douglass, Eagles, Edwards, English, Ewing, Falkner, Flanagan, Grady, Graham, Greene, Ledford, Lee, Lumpkin, Makepeace, Mebane, Monroe, Moss, Moye, McLauchlin, Neal, Newman, Rouse, Ruark, Smith, Sprinkle, Spruill, Taylor of Currituck, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Watson, White, Williams, Womble and Young—45.

The following pair is announced: Mr. Bowie with Mr. Gatling—were Mr. Gatling present he would vote "no," Mr. Bowie would vote "aye."

On motion of Mr. Turner of Guilford, consideration of the bill is postponed until Friday, March 17.

Mr. Braddy moves that the vote by which H. B. 262, A bill to be entitled An act to regulate the business of transporting property for compensation by motor vehicles operated over the public highways of the State, failed to pass its second reading be reconsidered.

On motion of Mr. Gardner the motion of Mr. Braddy is laid on the table.

On motion of Mr. Grant H. B. 658, A bill to be entitled An act to abolish the whole time duties and reduce the salary of the Chairman of the Board of Commissioners of New Hanover County, is taken from the unfavorable Calendar and recommitted to the Committee on Counties, Cities and Towns.

# ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 54, An act to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County.
- S. B. 130, An act relating to the election of Justices of the Peace for the County of Wayne.
- S. B. 231, An act to amend chapter 775 of Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.
- S. B. 260, An act to repeal chapter 176 of the Public-Local Laws of 1927, relative to sale of fireworks or other explosives in Vance County.
- S. B. 263, An act relating to appropriation and anticipation of school maintenance and other funds in the City of Burlington.
- S. B. 274, An act amending chapter 28 of the Public Laws of North Carolina, Extra Session, 1924, regulating the compensation of the members of the Grand Jury of Scotland County.

- S. B. 309, An act for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light Townships in the County of Wake.
- S. B. 321, An act to validate process and proceedings by L. S. Thompson, a Justice of the Peace of Beaufort County, from August 1, 1930, to January 15, 1933.
- S. B. 325, An act to repeal chapter 123, Public-Local Laws, 1921, and chapter 28, Public-Local Laws, 1929, relating to fees of Sheriff for capturing illicit distilleries in Mitchell County.
- S. B. 349, An act to permit the sale and use of hog cholera virus in Edgecombe County under certain conditions.
- H. B. 247, An act to repeal chapter 283, Public-Local Laws, Session of 1931, relating to pay of County Commissioners of Columbus County.
- H. B. 294, An act to amend Chapter 498, Public-Local Laws of 1923 relating to salaries of Brunswick County officials.
- H. B. 451, An act to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents.
- H. B. 530, An act to establish a boxing commission for the Town of Belmont in Gaston County.
- H. B. 543, An act to authorize and empower the Board of County Commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.
- H. B. 544, An act to repeal the Absentee Ballot Law for Yadkin County, North Carolina.
- H. B. 547, An act to create the office of Deputy Township Constable for Waynesville Township, Haywood County.
  - H. B. 584, An act to reduce the salary of the Mayor of the City of New Bern.
- H. B. 588, An act to repeal chapter 17, and chapter 126 of the Public Laws of the Session of 1929, relating to establishment of Recorder's Court in Burke County; and to repeal chapters 422 and 335 of Public Laws of the Session of 1931, relating to the General County Courts in Burke County.
- H. B. 600, An act to repeal sections 7, 8, 9, and 10 of chapter 415, Public-Local Laws, 1927, relating to salaries of the officers of Martin County.
- H. B. 798, An act to allow counties and other units to invest in bonds of their said unit.

On motion of Mr. Gardner, the House takes a recess until 3 o'clock this afternoon.

# AFTERNOON SESSION

House of Representatives, Friday, March 10, 1933.

Pursuant to recess, the House meets, and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Randolph: H. B. 917, A bill to be entitled An act repealing and reënacting House bill No. 723, ratified March 6, 1933, being An act relating to road district bonds heretofore issued by Swain Road District in Swain County and Township Road Bonds heretofore issued by Forney's Creek Township in Swain County.

Placed on the Calendar.

By Messrs. Etheridge, Randolph and Flanagan: H. B. 918, A bill to be entitled An act to amend section 220 (e), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.

Referred to the Committee on Banks and Banking.

And,

H. B. 919, A bill to be entitled An act to amend section 220 (a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

Referred to the Committee on Banks and Banking.

And

H. B. 920, A bill to be entitled An act to amend Section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

Referred to the Committee on Banks and Banking.

And,

H. B. 921, A bill to be entitled An act to amend section 220 (c), Consolidated Statutes 1919, Volume III, as amended, so as to limit the investment by banking corporations in stocks of other corporations.

Referred to the Committee on Banks and Banking.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

An amendment offered by Mr. Johnson of Chatham, is adopted.

An amendment offered by Mr. Dees, is adopted.

An amendment offered by Mr. Bowie, is adopted.

An amendment offered by Mr. Wilson of Caswell, is adopted.

An amendment offered by Mr. Turner of Guilford, is adopted.

An amendment offered by Mr. Davis, is adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

Committee substitute for: H. B. 655, A bill to be entitled An act to establish the Department of Justice and to prescribe and define the duties thereof.

Passes its second reading, and remains on the Calendar.

S. B. 138, A bill to be entitled An act to prohibit the sale of convict-made goods.

Passes its second and third readings, and is ordered Enrolled.

H. B. 515, A bill to be entitled An act to amend section 109, chapter 427 of the Public Laws of 1931, relative to a license tax on photographers.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

An amendment is adopted, and the bill remains on the Calendar for its several readings.

H. B. 162, A bill to be entitled An act to repeal the dog law as applies to Swain County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 201, A bill to be entitled An act to repeal chapter 134, Public-Local Laws 1927, relating to enforcement of the Prohibition Law in Cherokee County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 490, A bill to be entitled An act to amend chapter 358, Public-Local Laws 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 552, A bill to be entitled An act for the relief of C. D. Sawyer, Tax Collector for the Town of Robbinsville, Graham County, authorizing the collection of back taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 698, A bill to be entitled An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234, of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of Game Commissioners.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 824, A bill to be entitled An act to repeal chapter 532, Public-Local and Private Laws of 1927, the same being An act to provide for better enforcement of the Prohibition Law in Polk and Transylvania counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 865, A bill to be entitled An act to amend chapter 651, of the Public Laws of 1909, as amended, relating to the municipal court of the City of Greensboro.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 885, A bill to be entitled An act to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Clay County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 707, A bill to be entitled An act to amend section 3401, Consolidated Statutes of North Carolina, and section 3411 (x), Volume III, of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 230, A bill to be entitled An act to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 326, A bill to be entitled An act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting Deputy Sheriffs of Onslow County to lay off homesteads.

Passes its second and third readings, and is ordered Enrolled.

S. B. 332, A bill to be entitled An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes.

Passes its second and third readings, and is ordered Enrolled.

On motion of Mr. Flanagan, the House adjourns until 10 o'clock tomorrow.

# FIFTY-EIGHTH DAY

House of Representatives, Saturday, March 11, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Mr. Ford of Hendersonville, N. C.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined, and found correct, and the same stands approved.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Gatling: H. B. 922, A bill to be entitled An act reducing the fees of certain officers of Gates County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 515, A bill to be entitled An act to amend section 109, chapter 427, of the Public Laws of 1931, relative to a license tax on photographers.

H. B. 707, A bill to be entitled An act to amend section 3401, Consolidated Statutes of North Carolina, and section 3411 (x), Volume III, of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections. (Applies also to Lenoir County.)

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 150, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes relating to compensation for damage done by dogs in Mitchell and Avery counties.

Referred to the Committee on Propositions and Grievances.

S. B. 258, A bill to be entitled An act to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

Referred to the Committee on Judiciary No. 1.

S. B. 273, A bill to be entitled An act amending chapter 117 of the Public-Local Laws of North Carolina, Session 1921, regulating the fees of the Sheriff of Scotland County.

Referred to the Committee on Salaries and Fees.

S. B. 289, A bill to be entitled An act to amend the charter of the City of Hickory by extending its corporate limits.

Referred to the Committee on Counties, Cities and Towns.

S. B. 314, A bill to be entitled An act exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to town corporations or Mitchell County for sponsoring picture shows or other forms of entertainment.

Referred to the Committee on Finance.

S. B. 339, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Salisbury.

Referred to the Committee on Finance.

S. B. 360, A bill to be entitled An act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the Judge and Solicitor of the General County Court in Wilson County.

Referred to the Committee on Salaries and Fees.

H. B. 411, A bill to be entitled An act requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

For concurrence in the Senate amendment.

On motion of Mr. Sullivan, the House concurs in Senate amendment and the bill is ordered Enrolled.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 293, An act relating to the payment of street improvement assessments in the Town of Selma.

S. B. 328, An act to appoint the County Accountant of Catawba County as Tax Collector.

S. B. 350, An act to make available to the various counties and school districts the allotments made from the tax reduction fund irrespective of the amount of ad valorem taxes collected.

H. B. 483, An act relating to the salaries of the officers of Bertie County.

H. B. 856, An act relating to the Superior Courts of Nash County.

H. R. 893, Joint resolution inviting the Governor to address the General Assembly.

On motion of Mr. Doughton, the House adjourns and will meet Monday night at 8:00 o'clock.

## FIFTY-NINTH DAY

House of Representatives, Monday Night, March 13, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. F. S. Love of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. John S. Watkins of Madison County, former Member of the House.

An indefinite leave of absence is granted to Mr. Thompson of Beaufort on account of sickness.

### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor John C. B. Ehringhaus:

March 13, 1933.

HON. R. L. HARRIS,

Speaker of the House of Representatives, Raleigh, N. C.

DEAR MR. SPEAKER:

Pursuant to Joint Resolution No. 893, inviting the Governor to address the General Assembly at his pleasure, I beg to advise that I desire to address the General Assembly this evening at eight o'clock.

### Respectfully,

J. C. B. EHRINGHAUS, Governor of North Carolina.

### MESSAGE FROM THE SENATE

A message is received from the Senate, which is as follows:

March 13, 1933.

Mr. Speaker:

Pursuant to a resolution inviting His Excellency, the Governor, to address a Joint Session of the Senate and House of Representatives at his pleasure, and having received a message from him indicating his desire to make such address at eight o'clock this evening, the Senate is now ready to sit with your body in Joint Session and awaits a message to the effect that you are ready to receive the Senate. To act with a like committee on the

part of the House of Representatives to escort the Governor to the Hall of the House, the President has appointed Senators Francis and Barker.

## Respectfully,

· LEROY MARTIN, Principal Clerk.

In compliance with the above information, the Speaker appoints as a committee on the part of the House to act with a like committee from the Senate to escort the Governor to the Hall of the House: Messrs. Johnson of Pender, Makepeace and Culpepper.

On motion of Mr. Wilson, the House takes a recess until 9:05 o'clock.

### JOINT SESSION

Pursuant to resolution, heretofore adopted, the Sergeant-at-Arms announces the approach of the Senate, and that body preceded by its officers comes into the House and are assigned seats, Lieutenant Governor Graham at the right of Mr. Speaker Harris, the purpose of the Joint Assembly being to hear a personal message from His Excellency, Governor John C. B. Ehringhaus.

The Joint Assembly is called to order by Lieutenant Governor Graham, and the approach of the Governor is announced.

The Joint Committee of the House and Senate comes into the Hall of the House, acting as escort to Governor Ehringhaus, who makes his address to the Joint Assembly.

(A complete text of the address appears next after the Governor's Inaugural Address in the appendix.)

After the address, on motion of Senator Fuller, the Joint Assembly adjourns.

The Senate repairs to its Chamber; and the House resumes consideration of its business.

On motion of Mr. Johnson of Pender, one thousand copies of the Governor's Message are ordered printed.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Martin: H. R. 923, Joint resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

Referred to the Committee on Federal Relations.

By Mr. Watson: H. B. 924, A bill to be entitled An act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Flanagan: H. B. 925, A bill to be entitled An act to repeal chapter 188, Public-Local Laws, 1929, and to amend chapter 521, Public-Local Laws, 1921, relating to fees of Justices of the Peace in Pitt County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Messrs. Randolph and Gattis: H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

Referred to the Committee on Judiciary No. 1.

By Mr. Gilliam: H. B. 927, A bill to be entitled An act to authorize the Commissioners of Alamance County to reduce salaries of public officers.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Gilliam: H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge a privilege tax on the sale of oleomargarine. Referred to the Committee on Finance.

By Mr. Young: H. B. 929, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, authorizing the levying of a special tax, so as to include the County of Harnett.

Referred to the Committee on Finance.

By Mr. Tompkins: H. B. 930, A bill to be entitled An act requiring the Register of Deeds of Jackson County to prepare the tax list and providing the compensation therefor.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Sullivan: H. B. 931, A bill to be entitled An act to regulate charges made by the City of Asheville for water consumed in Buncombe County water districts.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Doughton of Alleghany: H. B. 932, A bill to be entitled An act to protect sheep and other domestic animals from dogs.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sprinkle: H. B. 933, A bill to be entitled An act to repeal chapter 285, Public-Local Laws of 1931, establishing a Recorder's Court for Madison County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Moye: H. B. 934, A bill to be entitled An act to repeal sections 38, 39, 40, 41, and 42 of chapter 60 of the Public Laws of 1931 in so far

as they relate to Greene County, and to relieve the members of the Board of County Commissioners of Greene County of certain civil and criminal liabilities.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Messrs. Thompson of Columbus, Massenburg, Taylor of Halifax, Ewing, Groves, Braddy and Smith: H. B. 935, A bill to be entitled An act relating to corporations for the protection and development of forests under supervision of the State.

Referred to the Committee on Conservation and Development.

By Mr. Gilliam: H. B. 936, A bill to be entitled An act to regulate rewards for the capture of stills.

Referred to the Committee on Propositions and Grievances.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 340, A bill to be entitled An act to amend section 2650 of the Consolidated Statutes of North Carolina, and to provide that municipal elections shall be held on Tuesday after the first Monday in June.

Referred to the Committee on Election Laws.

S. B. 343, A bill to be entitled An act validating official acts of F. N. Roup, Justice of the Peace of Gap Civil Township, Alleghany County, North Carolina. Referred to the Committee on Judiciary No. 2.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 257, A bill to be entitled An act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

Passed its second and third readings, and is ordered Enrolled.

H. B. 819, A bill to be entitled An act to establish a consolidated governing body for the City of Durham and Durham County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Cherry, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Morphew, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon,

Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—107.

Those voting in the negative are: None.

H. B. 860, A bill to be entitled An act authorizing the Town of Morehead City to establish a Port Commission for the said Town, to prescribe the duties of the said Commission and to authorize the said town to coöperate with the said Commission in carrying out the purposes and intents of this act.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Cherry, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Morphew, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-107.

Those voting in the negative are: None.

H. B. 917, A bill to be entitled An act repealing and reënacting House Bill No. 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Cherry, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Morphew, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus,

Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—107.

Those voting in the negative are: None.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 138, An act to prohibit the sale of convict-made goods.

S. B. 230, An act to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

S. B. 310, An act increasing the number of Commissioners of Northampton County, and creating five districts for the nomination of said Commissioners.

S. B. 326, An act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Onslow County to lay off homesteads.

S. B. 332, An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes.

H. B. 158, An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

H. B. 162, An act to repeal the Dog Law as applies to Swain County.

H. B. 160, An act to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

H. B. 275, An act to repeal chapter 15 of the Public-Local and Private Laws of 1923, being An act to prohibit the sale or use of fireworks in Currituck and Cherokee Counties, in so far as the same applies to Cherokee County.

H. B. 411, An act requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court.

H. B. 467, An act to allow the Board of Aldermen of the Town of Brevard to extend the time for payment of street assessments in said Town.

H. B. 470, An act to provide for the payment of municipal street assessments in installments in the Town of Enfield.

H. B. 501, An act relating to the duties of State Farm Demonstration Agent in Northampton County.

H. B. 571, An act repealing chapter 183 of the Public-Local Laws of North Carolina, Extra Session of 1924, and regulating the fees of the Clerk of the Superior Court of Scotland County.

H. B. 609, An act fixing the fees of the Justices of the Peace of Caswell County.

H. B. 663, An act to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the Courts of the Justices of the Peace of Buncombe County.

H. B. 670, An act to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County

H. B. 679, An act to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

H. B. 687, An act to amend chapter 82, Public-Local Laws 1931, relating to the salary of the County Accountant of Union County.

H. B. 713, An act fixing the salaries and fees of the officers of Alexander County, abolishing the office of Tax Collector and the Recorder's Court of said county.

H. B. 715, An act to extend the time for payment of street assessments in the Town of Aulander, North Carolina.

H. B. 767, An act to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

H. B. 769, An act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

H. B. 796, An act to permit the Commissioners of the Town of East Bend or the Trustees of the East Bend Baptist Church, Yadkin County, to remove bodies to the Benbow Chapel Colored Cemetery.

H. B. 812, An act to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the Stock Law.

H. B. 842, An act to authorize the governing body of the Town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

H. B. 915, An act to provide for the completion of the extended term in the various special tax school districts in Beaufort County.

On motion of Mr. Murphy, S. B. 117, A bill to be entitled An act amending chapter 372 of Public Laws 1931, relating to the method of abolishing special taxes in special tax districts, and providing that the same shall apply to Rowan County, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Cherry, the House adjourns until eleven o'clock tomorrow.

He Mr. Mokachairs, her the Committee on Authorities of

## SIXTIETH DAY

House of Representatives, Tuesday, March 14, 1933.

The House meets pursuant to adjournment, and is called  $t_0$  order by Mr. Speaker Harris.

Prayer by Mr. Lex Kluttz of Raleigh, North Carolina.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. Holman Bernard of Surry County and Dr. J. E. Hart of Anson County, former Members of the House.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Johnson of Pender, for the Committee on Insurance:

S. B. 303, A bill to be entitled An act to amend section 5178 of the Consolidated Statutes, relative to penalty for nonpayment of dues in building and loan associations.

With unfavorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 908, A bill to be entitled An act to extend the powers of the police officers of the various incorporated towns in Rutherford County.

With a favorable report.

And.

H. B. 263, A bill to be entitled An act amending chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws of 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of the public highways by motor trucks, semi-trailer trucks, semi-trailers and trailers, to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this act.

With unfavorable report as to bill and first Committee substitute; favorable as to second Committee substitute.

And.

H. B. 758, A bill to be entitled An act, relative to seizure and sale of personal property under title-retained contract or rental agreement.

With unfavorable report.

And,

H. B. 664, A bill to be entitled An act to amend chapter 124, Public Laws, 1931, known as the Uniform Criminal Extradition Act.

With a favorable report, as amended.

By Mr. McEachern, for the Committee on Agriculture:

H. B. 797, A bill to be entitled An act to appoint a Board of Agriculture and define its duties.

With unfavorable report, with a minority report attached.

And

H. B. 902, A bill to be entitled An act relating to the purchase and sale of milk bottles in Cumberland County.

With a favorable report.

By Mr. Young, for the Committee on Courts and Judicial Districts:

S. B. 348, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, as amended, so that the May Term of Superior Court of Wilson County shall be a General Term.

And.

H. B. 240, A bill to be entitled An act to amend section 1569 of the Consolidated Statutes, relating to removal of cases in courts of Justices of Peace. And,

H. B. 933, A bill to be entitled An act to repeal chapter 285, Public-Local Laws, 1931, establishing a Recorder's Court for Madison County.

And.

H. B. 843, A bill to be entitled An act relative to costs in certain criminal cases in the courts of Pasquotank County.

And.

H. B. 847, A bill to be entitled An act to amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said Court. With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Dees: H. B. 937, A bill to be entitled An act to amend chapter 428 of Public Laws of 1931, abolishing penalties on payment of taxes in Pamlico County.

Pässed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Berryman: H. B. 938, A bill to be entitled An act to reduce the salaries of certain officers of Chowan County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Groves: H. B. 939, A bill to be entitled An act to validate centain sales of property under foreclosure sales, etc., in Stanly County.

Referred to the Committee on Finance.

And,

H. B. 940, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties—this bill relating only to the terms of court in Stanly County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Rouse: H. B. 941, A bill to be entitled An act to amend chapter 71, Public Laws of 1931, regulating life assessment insurance associations.

Referred to the Committee on Insurance.

By Mr. Eaton (by request): H. B. 942, A bill to be entitled An act to amend chapter 348 of Public-Local Laws 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

·Referred to the Committee on Courts and Judicial Districts.

By Mr. Etheridge: H. B. 943, A bill to be entitled An act to provide for the conservation of the assets of banking institutions and the issuance of preferred stock.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered sent to Senate without Engrossment.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 290, A bill to be entitled An act to amend the charter of the City of Hickory by providing for the reassessment of street improvement liens, etc. Referred to the Committee on Counties, Cities and Towns.

S. B. 319, A bill to be entitled An act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said County. Referred to the Committee on Finance.

#### UNFINISHED BUSINESS

The Speaker lays before the House, for its consideration, H. B. 54, A bill to be entitled An act to repeal chapter 1, Public Laws, 1923, commonly known as "The Turlington Act."

There being a minority report attached to the bill, the question recurs upon the adoption of said report.

Upon this question, Mr. Murphy calls for the "ayes" and "noes." The call is sustained, and the minority report fails of adoption by the following vote, the bill thereby going on the Unfavorable Calendar:

Those voting in the affirmative are: Messrs. Bender, Boyd, Brawley, Cover, Culpepper, Edwards, Falkner, Froneberger, Galloway, Garibaldi, Grady, Grant, Groves, Johnson of Pender, Lee, Lumpkin, Makepeace, Massenburg, Mizzell, Murphy, McEachern, Neal, Newman, Randolph, Scarborough, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Turner of Guilford, Vann, Warlick, Womble and Young—35.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Berryman, Binford, Bowie, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Etheridge, Everett, Ewing, Flanagan, Gardner, Gatling, Gilliam, Graeber, Graham, Greer, Griffin, Hamilton, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Ledford, Martin, Mebane, Monroe, Moore, Morphew, Moss, Moye, Oaks, O'Berry, Olive, Phillips, Ray, Rouse, Ruark, Sigmon, Smith, Sprinkle, Tatem, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Watson, White, Williams, Wilson, Woodall and Woodfin—72.

### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House, for its consideration, H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money.

On motion of Mr. McEachern, the House resolves itself into a Committee of the Whole for the purpose of considering the bill, section by section. The Speaker appoints the Gentleman from Hoke, Mr. McEachern, as Chairman of the Committee of the Whole.

After consideration by the Committee, on motion of Mr. Massenburg, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. McEachern makes the following report for the Committee:

Mr. Speaker:

Your Committee having under consideration H. B. 914, The Machinery Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: In article 1, the Committee recommends the adoption of article 1 as a whole. In article 2, the Committee recommends the adoption of article 2 as a whole. In article 3, the Committee recommends the adoption of sections 300 to

305, inclusive; section 306, as amended.

## Respectfully,

Mr. McEachern.

The report is adopted.

### CALENDAR

Bills and resolutions on the calendar are taken up and disposed of as follows:

H. B. 917, A bill to be entitled An act repealing and reënacting H. B. 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County."

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Gardner, Garibaldi, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—106.

Those voting in the negative are: None.

On motion of Mr. O'Berry, the House takes a recess until eight o'clock tonight.

### NIGHT SESSION

House of Representatives, Tuesday Night, March 14, 1933.

The House meets pursuant to its recess, and resumes consideration of business, with Mr. Speaker Harris presiding.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Watson, Aycock of Wayne, Crews, McLauchlin, Garibaldi and Cameron: H. B. 944, A bill to be entitled An act relating to and governing contracts between landlord and tenant in agricultural tenancies.

On motion of Mr. Watson, the bill is placed on the Calendar.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 272, A bill to be entitled An act to fix and determine the October Term of Surry Superior Court.

Referred to the Committee on Courts and Judicial Districts.

H. B. 179, A bill to be entitled An act authorizing the Commissioners of Currituck County to appoint a prosecuting attorney for said County.

For concurrence in the Senate amendment.

On motion of Mr. Taylor of Currituck, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 378, A bill to be entitled An act relating to the holding of town elections in the Town of Smithfield, Johnston County.

On motion of Mr. Grady, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 88, A bill to be entitled An act to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

Committee amendment adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 362, A bill to be entitled An act relating to rate of interest on monthly balances of State funds, and of funds in the hands of the Commissioner of Banks.

The Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

### UNFINISHED BUSINESS

The Speaker lays before the House, for its further consideration, H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money.

On motion of Mr. Ewing, the House goes into Committee of the Whole, for the purpose of considering the bill, section by section, with Mr. McEachern presiding.

After consideration by the Committee, on motion of Mr. Ewing, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. McEachern makes the following report for the Committee:

Mr. Speaker:

Your Committee having under consideration H. B. 914, The Machinery Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: Section 304 in article 3, as amended.

The Committee recommends the adoption of article 3, as amended.

In article 4, the Committee recommends the adoption of section 400, as amended; sections 401 to 408, inclusive.

The Committee recommends the adoption of article 4, as amended.

In article 5, the Committee recommends the adoption of sections 500 to 529, inclusive.

The Committee recommends the adoption of article 5.

In article 6, the Committee recommends the adoption of article 6.

In article 7, the Committee recommends the adoption of article 7, as amended.

In article 8, the Committee recommends the adoption of article 8.

The Committee recommends the adoption of the bill as a whole, as amended,

## Respectfully,

MR. McEachern, Chairman.

The report is adopted.

The question now recurs upon the passage of the bill, as amended, on its several readings.

As amended, the bill passes its second reading, and remains on the Calendar. On motion of Mr. Flanagan, the House adjourns until eleven o'clock tomorrow.

## SIXTY-FIRST DAY

House of Representatives, Wednesday, March 15, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Hon. Josephus Daniels, American Ambassador to Mexico, and Mr. H. G. Connor of Wilson County, former Member of the House.

On motion of Mr. Murphy, the courtesies of the floor are extended to Mr. William Henry Harris, father of Speaker Harris, of Person County.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

H. B. 904, A bill to be entitled An act validating sale of lands October 5, 1931, by Tax Collector, City of Southport, for unpaid 1930 taxes.

And.

S. B. 339, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Salisbury.

And.

H. B. 929, A bill to be entitled An act to amend chapter 441, Public Laws 1931, authorizing the levying of a special tax so as to include the County of Harnett.

And,

H. B. 801, A bill to be entitled An act authorizing partial payments on taxes in Sampson County.

And,

S. B. 319, A bill to be entitled An act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said County.

And.

H. B. 939, A bill to be entitled An act to validate certain sales of property under foreclosure sales, etc., in Stanly County.

And.

H. B. 866, A bill to be entitled An act to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

And.

S. B. 297, A bill to be entitled An act to amend chapter 241, Public-Local Laws 1927, relative to the Real Estate Commission, exempting Wake County from the provisions thereof

With favorable reports.

And.

S. B. 314, A bill to be entitled An act exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to Town Corporation of Mitchell County for sponsoring picture shows or other forms of entertainment.

And,

H. B. 564, A bill to be entitled An act relating to segregation of taxes and partial release of property upon payment of taxes.

And.

H. B. 739, A bill to be entitled An act to require a reassessment of all real estate in the various counties for the purpose of taxation.

And

H. B. 876, A bill to be entitled An act to require the County Commissioners of Greene County to make a horizontal cut of fifty per cent in the valuation of all real property in said county and to limit the rate of taxation on said property.

And,

H. B. 243, A bill to be entitled An act to amend section 7880, sub-section 93, chapter 131, of the Consolidated Statutes of North Carolina, known as "The Revenue Act of 1931," imposing a license tax of \$50.00 on branch or chain stores, making the license tax \$150.00 per store.

And,

H. B. 484, A bill to be entitled An act relating to collection of taxes and tax penalties in Bertie County and abolishing tax penalties in said county.

With unfavorable reports.

And,

H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge a privilege tax on the sale of oleomargarine.

Bill reported without prejudice.

By Mr. Ewing, for the Committee on Conservation and Development:

H. B. 322, A bill to be entitled An act to regulate seining in Caswell County. And.

H. B. 935, A bill to be entitled An act relating to coöperation for the protection and development of forests under supervision of the State.

And,

H. B. 135, A bill to be entitled An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

With favorable reports.

By Mr. Makepeace, for the Committee on Game:

H. B. 771, A bill to be entitled An act to prevent hunting of wild animals or other game by fire-lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington, and Beaufort. And,

H. B. 752, A bill to be entitled An act to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County.

And,

S. B. 259, A bill to be entitled An act to amend section 27 of chapter 51 of the Public Laws of 1927 relative to fox hunting in Northampton County. And,

S. B. 240, A bill to be entitled An act to prevent the taking and catching of game and wild animals in steel traps in Sampson County.

And,

S. B. 353, A bill to be entitled An act to repeal Chapter 399, Public-Local Laws 1929, relating to hunting of foxes in Person County.

And.

H. B. 912, A bill to be entitled An act to prohibit the setting of steel traps in Northampton County.

With favorable reports.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 899, A bill to be entitled An act to eliminate the mandatory requirements of any particular offices in any county or municipality.

And,

H. B. 900, A bill to be entitled An act to declare all salaries fixed by any Act of the General Assembly to be construed as the maximum salary for said office.

And.

H. B. 901, A bill to be entitled An act to give the commissioners of the several counties and the governing bodies of the several municipalities of

the State the power to consolidate or eliminate any and all offices not required by the Constitution and to grant to said body the power to fix salaries of all county and municipal offices.

And,

H. B. 903, A bill to be entitled An act to repeal the charter of the Town of Connelly Springs, Burke County.

And,

H. B. 910, A bill to be entitled An act to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

And

S. B. 315, A bill to be entitled An act relative to the incorporated boundary line of the Town of Bakersville, and to authorize and empower the Clerk of the Superior Court of Mitchell County to appoint successors to members of the Board of Aldermen of said Town who may resign.

With favorable reports.

And,

H. B. 821, A bill to be entitled An act to repeal chapter 40, Private Laws 1874-1875, repealing the charter of the Town of Morrisville, Wake County.

And,

H. B. 677, A bill to be entitled An act to abolish the office of Tax Collector for the County of Guilford and consolidate the same with the office of the Sheriff.

And.

H. B. 386, A bill to be entitled An act to amend chapter 93, Private Laws 1927, being "An act to create a Firemen's Pension and Relief Board for the City of Asheville and to provide for pensioning disabled and superannuated firemen."

With unfavorable reports as to bills; favorable as to Committee substitutes.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 628, A bill to be entitled An act to amend article 120, chapter 121, Private Laws 1931, the same being "An act to incorporate the City of Asheville, to define its corporate limits, to provide for its government and for other purposes," pertaining to initiative, referendum and recall.

And,

H. B. 891, A bill to be entitled An act to repeal chapter 253 of Public-Local Laws of 1931, the same being An act to create a Board of Financial Control for Buncombe County, and certain bodies politic and municipal corporations therein, and to define the powers and duties thereof.

And.

S. B. 343, A bill to be entitled An act validating official acts of F. N. Roup, Justice of the Peace of Gap Civil Township, Alleghany County, North Carolina.

With favorable reports.

And.

H. B. 627, A bill to be entitled An act to amend chapter 186, Private Laws 1931, "Being An act to amend Senate Bill Number 395, being the charter of

the City of Asheville," pertaining to the reduction of salaries of councilmen and other employees.

With an unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Graham, for the Committee on Education:

H. B. 710, A bill to be entitled An act to regulate the handling of school books in North Carolina.

And

H. B. 756, A bill to be entitled An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

And,

H. B. 298, A bill to be entitled An act to amend section 347, chapter 136, Public Laws of 1923, as heretofore amended by chapter 226, Public Laws of 1925, relating to compulsory attendance in schools.

With unfavorable reports.

### HOUSE RESOLUTION

A House Resolution offered by Messrs. Wilson, Taylor of Mecklenburg, and Boyd, "Relative to the meetings of the House and Committees," fails of adoption.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Tompkins: H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

Referred to the Committee on Finance.

By Messrs. Etheridge, Tatem and Davis: H. R. 946, Joint Resolution relating to connection of the State Highway System with Roanoke Island.

Referred to the Committee on Roads.

By Mr. Martin: H. B. 947, A bill to be entitled An act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the County of Buncombe and cities and towns in said county.

Referred to the Committee on Judiciary No. 1.

By Messrs. Everett and Brawley: H. B. 948, A bill to be entitled An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

Referred to the Committee on Judiciary No. 1.

By Mr. Grant: H. B 949, A bill to be entitled An act to repeal chapter 19, Public Laws of 1929, relating to a director of public trust contracting for his own benefit.

Referred to the Committee on Judiciary No. 1.

By Messrs. Taylor of Mecklenburg and Boyd: H. B. 950, A bill to be entitled An act to amend chapter 120, section 60, of the Public Laws of 1929, North Carolina Ann. Code (Michie 1931), section 8081 (PPP), relative to the review by the Superior Court of the awards of the Industrial Commission.

Referred to the committee on Judiciary No. 2.

And,

H. B. 951, A bill to be entitled An act to amend chapter 120, section 54 (a) of the Public Laws of 1929 (North Carolina Ann. Code, Michie 1931, section 8081 (JJJ), relative to procedure before the Industrial Commission.

Referred to the committee on Judiciary No. 2.

And,

H. B. 952, A bill to be entitled An act to amend chapter 120, section 18, of the Public Laws of 1929 (North Carolina Ann. Code, Michie 1931, section 8081 (Y), relative to the compromise and settlement of doubtful cases subject to the approval of the Industrial Commission.

Referred to the Committee on Judiciary No. 2.

By Mr. Bardin: H. B. 953, A bill to be entitled An act to amend the charter of the New Bern Graded Schools, and to provide for the appointment of the Board of Trustees of the New Bern Graded Schools.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Murphy: H. B. 954, A bill to be entitled An act naming Numa Seaborn Forester a citizen of Wilkes County, North Carolina.

On motion of Mr. Murphy, the bill is placed on the Calendar.

And.

H. B. 955, A bill to be entitled An act to change the name of Paul Edward Blair to that of Frank P. Blair.

On motion of Mr. Murphy, the bill is placed on the Calendar.

By Mr. Hutchins: H. B. 956, A bill to be entitled An act to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present tax collector of Yancey County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Monroe: H. B. 957, A bill to be entitled An act to provide for the election of trustees for the Troy Special Charter School District at the next municipal election.

Referred to the Committee on Education.

By Mr. Ray: H. B. 958, A bill to be entitled An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorder's Courts in Henderson County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Sigmon: H. B. 959, A bill to be entitled An act relating to the employment of a court stenographer in Lincoln County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Lee: H. B. 960, A bill to be entitled An act to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.

Referred to the Committee on Judiciary No. 1.

By Mr. Culpepper: H. B. 961, A bill to be entitled An act to divert such moneys of the County of Pasquotank yet remaining under the Game Commission Fund to the General Fund.

Referred to the Committee on Judiciary No. 2.

By Mr. Haynes: H. B. 962, A bill to be entitled An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Greer: H. B. 963, A bill to be entitled An act to create the office of Tax Collector of Watauga County.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Doughton, Vann and Makepeace: H. B. 964, A bill to be entitled An act providing for a special levy for special purposes by counties.

Referred to the Committee on Finance.

By Mr. Ewing (by request): H. B. 965, A bill to be entitled An act to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the Recorder's Court of Cumberland County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Neal: H. B. 966, A bill to be entitled An act relating to the payment of Township Highway Bonds in McDowell County.

On motion of Mr. Neal, the bill is placed on the Calendar.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. R. 388, Joint resolution of the North Carolina Senate, the House of Representatives concurring, commending President Roosevelt for his economy program and the National House of Representatives for their promptness in approving said program and urging the immediate passage of the economy measure by the United States Senate.

On motion of Mr. Smith, the resolution is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

### SPECIAL MESSAGES

SENATE CHAMBER, March 14, 1933.

Mr. Speaker:

Pursuant to your request, we are herewith returning S. B. 117, title "Amending chapter 372 of Public Laws 1931, relating to the method of abolishing special taxes in special tax districts and providing that the same shall apply to Rowan County."

Respectfully,

LEROY MARTIN,
Principal Clerk.

Having been recalled from the Senate, on motion of Mr. Murphy, the vote by which the bill passed its third reading is reconsidered.

On motion of Mr. Murphy the vote by which the amendment was adopted is reconsidered.

Mr. Murphy offers an amendment which is adopted.

As amended, the bill passes its third reading and is sent to the Senate for concurrence in the House amendment.

SENATE CHAMBER, March 15, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that honorable body that the Senate has failed to concur in the House amendment to S. B. No. 127 "To validate certain sales of land for taxes and certificates issued in pursuance thereof," and asks for a conference thereon. The President has appointed as conferees on the part of the Senate Senators Griffin of Chowan and Hill.

## Respectfully,

LEROY MARTIN, Clerk of the Senate.

In compliance with the above, the Speaker appoints as conferees on the part of the House: Messrs. Scarborough, Olive, and O'Berry.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 933, A bill to be entitled An act to repeal chapter 285, Public-Local Laws 1931, establishing a Recorder's Court for Madison County.

On motion of Mr. Young, the bill is recommitted to the Committee on Courts and Judicial Districts.

Committee substitute for:

H. B. 655, A bill to be entitled An act to establish the Department of Justice and to prescribe and define the duties thereof.

On motion of Mr. Cherry, the Committee substitute and the original bill are recommitted to the Committee on Reorganization of State Government.

H. B. 843, A bill to be entitled An act relative to costs in certain criminal cases in the courts of Pasquotank County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 847, A bill to be entitled An act to amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said Court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 908, A bill to be entitled An act to extend the powers of the police officers of the various incorporated towns in Rutherford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 348, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes as amended, so that the May Term of the Superior Court of Wilson County shall be a General Term.

Passes its second and third readings, and is ordered Enrolled.

### UNFINISHED BUSINESS

The Speaker lays before the House for its consideration, H. B. 914, a bill to be entitled An act to provide for the listing and valuing of all property, real, personal, and mixed, at its true value in money.

The bill having already passed its second reading as amended, the question now recurs upon the passage of the bill on its third reading.

Mr. Taylor of Mecklenburg offers an amendment which is lost.

Mr. Massenburg offers an amendment which is lost.

An amendment offered by Mr. Thompson of Columbus is lost.

An amendment offered by Mr. Bowie is adopted.

An amendment offered by Mr. Thompson of Robeson is lost.

An amendment offered by Mr. Doughton of Alleghany is lost.

The question now recurs upon the passage of the bill as amended on its third reading.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

On motion of Mr. Hoyle, H. B. 450, a bill to be entitled An act to amend section 3315, Consolidated Statutes of North Carolina, relating to the recordation of deeds of gift, is taken from the unfavorable Calendar and recommitted to the Committee on Judiciary No. 2.

On motion of Mr. Hoyle, H. B. 452, A bill to be entitled An act to amend section 441, sub-section 9, of Consolidated Statutes of North Carolina, relating to the running of Statute of Limitations in certain cases, is taken from the unfavorable Calendar, and recommitted to the Committee on Judiciary No. 2.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 262, An act creating the office of Tax Collector in Cumberland County.

- S. B. 278, An act to amend the charter of the City of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931.
- S. B. 287, An act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.
- H. B. 590, An act to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.
- H. B. 700, An act to regulate the speed of boats on White Lake in Bladen County.
- H. B. 722, An act to amend section 1443, Volume III of the Consolidated Statutes, relating to the courts in Avery County.
- H. B. 753, An act to amend chapter 27, sub-chapter 2, of the Consolidated Statutes, relating to the time of holding a term of the Superior Court and affecting the County of Pender.
- H. B. 779, An act to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment, relating to Cabarrus County.

- H. B. 787, An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of Tax Collector and redefining the duties of the Sheriff of Polk County and fixing his salary.
- H. B. 799, An act authorizing the Commissioners of Sampson County to retire Sinking Fund loans with county bonds.
- H. B. 816, An act relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in McDowell County.
- H. B. 845, An act to authorize, empower and direct the Sheriff and/or Tax Collector of Craven County to accept county vouchers in payment of taxes.
- H. B. 858, An act to authorize, empower and direct the Tax Collector of Carteret County to accept county vouchers in payment of taxes.
- H. B. 859, An act to allow certain discounts in the payment of delinquent taxes in Morehead City and the County of Carteret.
- H. B. 924, An act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County.
- H. B. 930, An act requiring the Register of Deeds of Jackson County to prepare the tax list and providing the compensation therefor.
- H. B. 179, An act authorizing the Commissioners of Currituck County to appoint a Prosecuting Attorney for said county.
- S. B. 378, An act relating to the holding of town elections in the Town of Smithfield, Johnston County.
- H. B. 943, An act to provide for the conservation of the assets of banking institutions and the issuance of preferred stock.

On motion of Mr. Brawley, the House takes a recess until 8:00 o'clock tonight.

### NIGHT SESSION

House of Representatives,

WEDNESDAY NIGHT, March 15, 1933.

The House meets pursuant to its recess, and resumes consideration of its business with Mr. Speaker Harris presiding.

The courtesies of the floor are extended to Mr. N. E. Day of Onslow County, former Member of the House.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their ittles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Smith, for the Committee on Regulation of Public Service Corporations:

H. B. 725, A bill to be entitled An act pertaining to a minimum charge for electric current where same is metered to user.

And,

S. B. 115, A bill to be entitled An act to amend chapter 21 of the Consolidated Statutes of 1919, to make more effective the regulation of public utilities.

With favorable reports as amended.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 759, A bill to be entitled An act to place the purchase and distribution of all office supplies, books, records, furniture and fixtures for the public offices in the several counties of the State under the Division of Purchase and Contract.

With an unfavorable report.

By Mr. Graham, for the Committee on Education:

H. B. 957, A bill to be entitled An act to provide for the election of Trustees for the Troy Special Charter School District at the next municipal election.

With a favorable report.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 822, A bill to be entitled An act to regulate and fix the salaries of the elective officials of the City of Raleigh, the City Attorney, and the Prosecuting Attorney.

With an unfavorable report as to bill; favorable as to Committee substitute. And.

H. B. 780, A bill to be entitled An act to reduce the salaries of the Commissioners of the City of Raleigh and the Judge and Prosecuting Attorney of the City Court of said city.

And,

H. B. 820, A bill to be entitled An act to reduce the salaries of the office holders of Wake County and to provide for a more efficient collection of back taxes of the said County of Wake.

And.

H. B. 657, A bill to be entitled An act amending chapter 102, Public-Local Laws of 1919, as amended, relating to the salaries of the officers of Granville County.

With unfavorable reports.

And.

H. B. 909, A bill to be entitled An act to fix the compensation of jurors in Yancey County.

And.

S. B. 360, A bill to be entitled An act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the Judge and Solicitor of the General County Court in Wilson County.

With favorable reports.

### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 88, A bill to be entitled An act to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced read the first time and disposed of as follows:

By Mr. Ewing: H. B. 967, A bill to be entitled An act to repeal chapter 415, Public-Local Laws of the General Assembly of North Carolina of 1929, entitled "An act to restore full ballot rights to voters entitled to participate in the municipal primaries," in so far as said act applies to the City of Fayetteville, in Cumberland County, North Carolina, so that the enadidate for the Alderman for each ward shall be nominated by the electors of such ward.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Boyd: H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work, or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

Referred to the Committee on Judiciary No. 2.

By Messrs. Crews and Ewing: H. B. 969, A bill to be entitled An act relating to the purchase and sale of milk bottles.

On motion of Mr. Crews, the bill is placed on the Calendar.

By Mr. Allen: H. B. 970, A bill to be entitled An act to amend chapter 344, and chapter 350, Public-Local Laws 1931, relating to certain fees of the Clerk Superior Court and Register of Deeds of Granville County.

Referred to the Committee on Salaries and Fees.

And,

H. B. 971, A bill to be entitled An act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

Referred to the Committee on Salaries and Fees.

By Mr. Thompson of Columbus: H. B. 972, A bill to be entitled An act to provide for a Calendar in the criminal courts of Columbus County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Massenburg: H. B. 973, A bill to be entitled An act to amend section 109 of the Consolidated Statutes relative to final accounts and discharge of executors and administrators.

Referred to the Committee on Judiciary No. 2:

By Mr. Rouse: H. B. 974, A bill to be entitled An act to amend charter of the City of Kinston, relating to city realty and voting precincts.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 334, A bill to be entitled An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

Referred to the Committee on Courts and Judicial Districts.

S. B. 380, A bill to be entitled An act to amend chapter 2532, Consolidated Statutes of North Carolina relating to tolls by public mills in Pender County. Referred to the Committee on Agriculture.

S. B. 385, A bill to be entitled An act to amend chapter 368 of the Public-Local Laws of 1911, and amendments thereto relating to the Police Court in the Town of Canton, Haywood County.

On motion of Mr. Howell, the bill is placed on the Calendar.

H. B. 525, A bill to be entitled An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929 so as to make the administration of the election laws more efficient and more economical.

For concurrence in the Senate amendment, and on motion of Mr. Bowie, the Hounse concurs in the Senate amendment and the bill is ordered Enrolled.

### SPECIAL MESSAGE

Mr. Speaker:

SENATE CHAMBER, March 15, 1933.

It is ordered that a message be sent to the House of Representatives requesting the return of S. B. 344, title, "For the relief of W. A. Hall, Yancey County, North Carolina," for further consideration by the Senate,

## Respectfully,

LEROY MARTIN, Principal Clerk.

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On motion of Mr. Hutchins, the bill is ordered returned to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 135, A bill to be entitled An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 322, A bill to be entitled An act to regulate seining in Caswell County. Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 386, A bill to be entitled An act to amend chapter 93, Private Laws 1927, being "An act to create a Firemen's Pension and Relief Board for the City of Asheville and to provide for pensioning disabled and superannuated firemen."

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Committee substitute for:

H. B. 627, A bill to be entitled An act to amend chapter 186, Private Laws 1931, "being An act to amend Senate bill No. 395, being the charter of the City of Asheville," pertaining to the reduction of salaries of councilmen and other employees.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 628, A bill to be entitled An act to amend article 120, chapter 121, Private Laws 1931, the same being "An act to incorporate the City of Asheville, to define its corporate limits, to provide for its government, and for other purposes," pertaining to initiative, referendum and recall.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 677, A bill to be entitled An act to abolish the office of Tax Collector for the County of Guilford and consolidate the same with the office of Sheriff.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 752, A bill to be entitled An act to amend chapter 51, Public Laws 1927, relative to the hunting of wild turkeys in Guilford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 771, A bill to be entitled An act to prevent hunting of wild animals or other game by fire-lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 770, A bill to be entitled An act to amend chapter 428 of the Public Laws of 1931, being "An act to provide for the listing and the valuing of all property, real, personal and mixed, at its real value in money."

On motion of Mr. Doughton, the bill is laid on the table.

H. B. 801, A bill to be entitled An act authorizing partial payments on taxes in Sampson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 821, A bill to be entitled An act to repeal chapter 40, Private Laws 1874-1875, repealing the charter of the Town of Morrisville, Wake County. Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 903, A bill to be entitled An act to repeal the charter of the Town of Connelly Springs, Burke County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 904, A bill to be entitled An act validating sale of lands October 5, 1931, by Tax Collector, City of Southport, for unpaid 1930 taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 910, A bill to be entitled An act to authorize Guilford County, and one or more cities therein, to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 912, A bill to be entitled An act to prohibit the setting of steel traps in Northampton County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 939, A bill to be entitled An act to validate certain sales of property under foreclosure sales, etc., in Stanly County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 954, A bill to be entitled An act naming Numa Seaborn Forester a citizen of Wilkes County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 955, A bill to be entitled An act to change the name of Paul Edward Blair to that of Frank P. Blair.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 639, A bill to be entitled An act to provide for redemption of real estate purchased by Hertford County, and towns therein, and for the extension of time within which to pay delinquent taxes.

On motion of Mr. Vann, the bill is laid on the table.

Committee substitute for:

H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions, and Agencies, and for other purposes; and to reduce salaries of officers, employees, and agents.

The question recurs upon the adoption of the committee substitute.

The Committee substitute is adopted.

A substitute for the Committee substitute is offered by Messrs. Bowie, Grant, Taylor of Mecklenburg, Gardner, Garibaldi, Boyd, Howell, Olive, Cherry, and Thompson of Robeson.

The question now recurs upon the adoption of the substitute for Committee substitute offered by Mr. Bowie and others.

Further consideration of this matter goes over until tomorrow.

On motion of Mr. Davis, H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Cherry, the House adjourns until 11:00 o'clock tomorrow.

### SIXTY-SECOND DAY

House of Representatives, Thursday, March 16, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Theodore Partrick of the City of Raleigh.

Mr. Bender for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

S. B. 313, A bill to be entitled An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

And.

H. B. 652, A bill to be entitled An act to regulate the leasing of storage batteries.

And,

H. B. 837, A bill to be entitled An act to repeal certain section of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisement.

With favorable report as amended.

And.

S. B. 70, A bill to be entitled An act to require an audit of the receipts and expenditures of the Park Commission to date and authorize the Governor to designate a Committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of said Commissioners and whether such expenditures were authorized and to amend chapter 48 of the Public Laws of 1927.

With unfavorable report as to bill, favorable as to House Committee substitute.

And,

H. B. 947, A bill to be entitled An act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the County of Buncombe and cities and towns in said County.

And,

H. B. 960, A bill to be entitled An act to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.

And.

H. B. 916, A bill to be entitled An act to amend chapter 40A, section 2202, sub-section 10 and section 2202, sub-section 13, of the Consolidated Statutes of North Carolina, relating to investment of funds by guardians.

And,

H. B. 869, A bill to be entitled An act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County, by general levy.

With favorable reports.

And.

H. B. 895, A bill to be entitled An act to increase respect for law, lessen crime and reduce the cost of enforcing the various criminal laws of our State. With unfavorable report. By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 857, A bill to be entitled An act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County.

With a favorable report as amended.

And,

H. B. 744, A bill to be entitled An act to repeal chapter 181, Private Laws, 1901, incorporating the Town of Angier in Harnett County.

With unfavorable report.

And.

H. B. 963, A bill to be entitled An act to create the office of Tax Collector of Watauga County.

And.

H. B. 962, A bill to be entitled An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said County in accordance with the current standard of prices, wages, and salaries.

And,

H. B. 956, A bill to be entitled An act to amend chapter 213 of the Public Laws of 1927, relating to the commission to be paid the present Tax Collector of Yancey County.

With favorable reports.

### SPECIAL MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to your request, we are herewith returning H. B. 840, title, "For the relief of property owners in the Mattamuskeet Drainage District."

## Respectfully,

LEROY MARTIN, Principal Clerk.

Having been recalled from the Senate, on motion of Mr. Davis, the vote by which the bill passed its third reading is reconsidered.

Mr. Davis offers an amendment, which is adopted.

As amended, the bill passes its third reading and is ordered Engrossed and sent to the Senate.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Messrs. Froneberger and Sullivan: H. B. 975, A bill to be entitled An act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

Referred to the Committee on Judiciary No. 2.

By Mr. Douglass: H. B. 976, A bill to be entitled An act to amend chapter 391 of the Public Laws of 1927 relating to the salary of the Assistant Clerk of the Superior Court of Wake County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Grady and Woodall: H. B. 977, A bill to be entitled An act regulating the pay of jurors in Johnston County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without engrossment.

By Mr. Rouse: H. B. 978, A bill to be entitled An act to authorize the Board of Commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County.

Referred to the Committee on Salaries and Fees.

By Mr. Lumpkin: H. B. 979, A bill to be entitled An act to place Mrs. Lavenia Purnell, widow of R. D. Purnell, a Confederate Veteran, of Franklin County, on the Pension Roll.

Referred to the Committee on Pensions.

And.

H. B. 980, A bill to be entitled An act relating to and governing the election of members of the Board of Commissioners of Franklin County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Tompkins: H. B. 981, A bill to be entitled An act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

Referred to the Committee on Propositions and Grievances.

By Mr. Scarborough: H. B. 982, A bill to be entitled An act to require the Sheriff, Clerk of Court and Register of Deeds for Richmond County to keep a permanent record of receipts and expenditures of their office.

Placed on the Calendar.

By Mr. Galloway: H. B. 983, A bill to be entitled An act for extending the time for the foreclosure of certain taxes in Transylvania County.

Referred to the Committee on Finance.

And,

H. B. 984, A bill to be entitled An act concerning the sale of land and other property for taxes in Transylvania County.

Referred to the Committee on Finance.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 891, A bill to be entitled An act to repeal chapter 253 of Public-Local Laws 1931, the same being An act to create a Board of Financial Control for Buncombe County, and certain bodies politic and municipal corporations therein, and to define the powers and duties thereof.

Substitute is offered by Mr. Martin.

Substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Committee substitute for:

H. B. 822, A bill to be entitled An act to regulate and fix the salaries of the elective officials of the City of Raleigh, the City Attorney and the Prosecuting Attorney.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 909, A bill to be entitled An act to fix the compensation of jurors in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Substitute for:

H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge privilege tax on the sale of oleomargarine.

Mr. Gilliam offers a substitute for the bill.

Substitute adopted and remains on the Calendar, for its second reading roll call.

H. B. 957, A bill to be entitled An act to provide for the election of Trustees for the Troy Special School District at the next municipal election.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 240, A bill to be entitled An act to prevent the taking and catching of game and wild animals in steel traps in Sampson County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 259, A bill to be entitled An act to amend section 27 of Chapter 51 of the Public Laws of 1927, relative to fox hunting in Northampton County. Passes its second and third readings, and is ordered Enrolled.

S. B. 297, A bill to be entitled An act to amend chapter 241, Public-Local Laws, 1927, relative to the real estate commission, exempting Wake County from the provisions thereof.

Passes its second and third readings, and is ordered Enrolled.

H. B. 240, A bill to be entitled An act to amend section 1569 of the Consolidated Statutes relating to removal of cases in courts of justices of peace.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 436, A bill to be entitled An act to amend chapter 64, Public Laws of 1929, and for the relief of J. H. Harwood.

A minority report having been attached to the bill the question recurs upon the adoption of said report.

Upon this Mr. Randolph calls for the "ayes" and "noes."

The call is sustained and the minority report fails of adoption by the following vote, the bill thereby going on the unfavorable Calendar:

Those voting in the affirmative are: Messrs. Allen, Cover, Douglass, Eaton, Garrou, Grady, Griffin, Haynes, Hutchins, Ingram, Johnson of Pender, Ledford, Mebane, Monroe, Moore, Morphew, Murphy, McLauchlin, Neal, Phillips, Randolph, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson and Woodfin—27.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Crews,

Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Edwards, Everett, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Graham, Grant, Greene, Groves, Hamilton, Howell, Hoyle, Johnson of Chatham, Lumpkin, Makepeace, Martin, Massenburg, Moss, Moye, McEachern, Newman, O'Berry, Olive, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Turner of Guilford, Warlick, White, Williams, Womble, Woodall and Young—72.

S. B. 339, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Salisbury.

Passes its second and third readings, and is ordered Enrolled.

S. B. 343, A bill to be entitled An act validating official acts of F. N. Roup, Justice of the Peace of Gap Civil Township, Alleghany County, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 360, A bill to be entitled An act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the Judge and Solicitor of the General County Court in Wilson County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 866, A bill to be entitled An act to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McLauchlin, Neal, Olive, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

H. B. 929, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, authorizing the levying of a special tax so as to include the County of Harnett.

Passes second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of

Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McLauchlin, Neal, Olive, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

H. B. 966, A bill to be entitled An act relating to the payment of township highway bonds in McDowell County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McLauchlin, Neal, Olive, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

S. B. 315, A bill to be entitled An act relative to the incorporated boundary line of the Town of Bakersville, and to authorize and empower the Clerk of the Superior Court of Mitchell County to appoint successors to members of the Board of Aldermen of said town who may resign.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McLauchlin, Neal, Olive, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

S. B. 319, A bill to be entitled An act to authorize Wayne County to assume certain school buildings and equipment bonds of school districts in said County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McLauchlin, Neal, Olive, Phillips, Randolph, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

#### UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration Committee substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes, and to reduce salaries of officers, employees, and agents.

The Committee substitute was adopted at yesterday's session.

Mr. Bowie and others having offered a substitute for the Committee substitute, the question now recurs upon the adoption of said substitutes.

Further consideration is deferred until tonight's session.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 348, An act to amend section 1443 of the Consolidated Statutes as amended, so that the May term of the Superior Court of Wilson County shall be a general term.

S. R. 388, A joint resolution of the North Carolina Senate, the House of Representatives concurring, commending President Roosevelt for his economy program and the National House of Representatives for their promptness in approving said program and urging the immediate passage of the economy measure by the United States Senate.

H. B. 107, An act to consolidate the office of Superintendent of Public Welfare with the office of County Superintendent of Schools in Cleveland County.

H. B. 565, An act to amend chapter 520 of the Public-Local Laws of 1915, being An act to establish a Special Court for Forsyth County with civil

jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court.

On motion of Mr. Johnson of Chatham, the House takes a recess until 8 o'clock tonight.

### NIGHT SESSION

House of Representatives,

THURSDAY NIGHT, March 16, 1933.

Pursuant to its recess, the House meets with Mr. Speaker Harris presiding and resumes consideration of its business.

The courtesies of the floor are extended to Mr. W. H. Yarborough, former Member of the House from Franklin County, and Mr. J. A. Long, former Member of the Senate from Person County.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Womble: H. R. 985, A joint resolution to be entitled An act requiring the officers of North Carolina Education Association to furnish to the House of Representatives and the Senate of the State of North Carolina a complete list, audit, minutes, and the names of various companies, organizations, corporations, or individuals from whom said Association receives of obtains revenue of any kind, together with the amounts thereof, including fees, commissions, and annual dues; and also a complete list of all disbursements, together with the names and postoffice addresses of all persons receiving any part of said disbursements, and the amounts thereof.

Referred to the Committee on Education.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 375, A bill to be entitled An act to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

Referred to the Committee on Education.

S. B. 389, A bill to be entitled An act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

Referred to the Committee on Finance.

S. B. 395, A bill to be entitled An act validating acts of the Clerk of Superior Court of Alamance County in taxing costs in criminal actions as provided in chapter 302, Public-Local Laws of 1929, and repealing said chapter 302, Public-Local Laws of 1929.

On motion of Mr. Gilliam, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third reading and ordered Enrolled.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 335, A bill to be entitled An act to amend section 21, chapter 4, Public Laws of 1921, and section 1, chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 963, A bill to be entitled An act to create the office of Tax Collector of Watauga County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 982, A bill to be entitled An act to require the Sheriff, Clerk of Court and Register of Deeds for Richmond County to keep a permanent record of receipts and expenditures of their offices.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 385, A bill to be entitled An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the Police Court in the Town of Canton, Haywood County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 857, A bill to be entitled An act to repeal chapter 598 Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 947, A bill to be entitled An act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the County of Buncombe and cities and towns in said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 960, A bill to be entitled An act to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 962, Å bill to be entitled An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

### UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration, Committee substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes; and to reduce salaries of officers, employees, and agents.

A substitute for the Committee substitute having been offered by Mr. Bowie and others at yesterday's session, the question now recurs upon the adoption of said substitute.

Upon this question Mr. Gardner calls for the "ayes" and "noes." The call is sustained and the substitute for the Committee substitute is adopted by the following vote, and remains on the Calendor for its second reading:

Those voting in the affirmative are: Messrs. Allen, Arndt, Aycock of Wayne, Bean, Berryman, Binford, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Crews, Davis, Douglass, Eagles, Eaton, Edwards, English, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Gilliam, Graeber, Grant, Greene, Greer, Haynes, Hoyle, Ingram, Johnson of Chatham, Ledford, Makepeace, Monroe, Moore, Moye, Olive, Sigmon, Sprinkle, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson and Woodfin—53.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Beasley, Bender, Brawley, Cox, Culpepper, Dees, Doughton of Alleghany, Etheridge, Everett, Gatling, Gattis, Grady, Graham, Griffin, Groves, Hamilton, Howell, James, Johnson of Pender, Lumpkin, Martin, Massenburg, Mebane, Morphew, Moss, Murphy, McEachern, Neal, Newman, Phillips, Randolph, Rouse, Ruark, Scarborough, Tatem, Taylor of Currituck, Taylor of Halifax, Thompson of Columbus, Turner of Guilford and White—43.

The following pairs are announced: Mr. O'Berry with Mr. Froneberger—were Mr. Froneberger present, he would vote "aye," Mr. O'Berry would vote "no."

Mr. Womble with Mr. Young—were Mr. Young present, he would vote "no," Mr. Womble would vote "aye."

Mr. Mizzell with Mr. Woodall—were Mr. Mizzell present, he would vote "no," Mr. Woodall would vote "aye."

### STATEMENT BY MEMBER

Representative Marshall A. Thompson of Robeson, in answering the roll call on the adoption of the Bowie-Cherry substitute to the Appropriation Bill, said:

Mr. Speaker:

I promised my people in the campaign that I would do all in my power to cut expenses before voting to levy new taxes. I also stated that I would stand for fair treatment for the schools. I considered that the \$10,000,000.00 which the Bowie bill provided for the six months schools cut the schools out of proportion to other State employees, and I signed the Bowie substitute only after Mr. Bowie agreed to accept the Cherry amendments which, among other amendments, raised the amount for the six months schools to \$12,600,000. I vote "aye."

I wish to say further, Mr. Speaker, that in voting "aye," I reserve the right to vote for an eight months State supported school. When the MacLean-Bailey bill comes across the hall, I reserve the right to vote to assure every county in the State an eight months school. Thus I would give my constituents back home a big reduction in their ad valorem taxes for special schools in addition to saving the State several millions of dollars as a result of the Bowie-Cherry economy bill.

MARSHALL A. THOMPSON.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 117, An act to authorize elections to be held in school districts in Rowan County for the purpose of submitting to the voters the question of revoking special school taxes.
- S. B. 240, An act to prevent the taking and catching of game and wild animals in steel traps in Sampson County.
- S. B. 259, An act to amend section 27 of Chapter 51 of the Public Laws of 1927, relative to fox hunting in Northampton County.
- S. B. 297, An act to amend chapter 241, Public-Local Laws, 1927, relative to the Real Estate Commission, exampting Wake County from the provisions thereof.
- S. B. 339, An act relating to the extension of time for payment of special assessments levied by the City of Salisbury.
- S. B. 343, An act validating official acts of F. N. Roup, Justice of the Peace of Gap Civil Township, Alleghany County, North Carolina.
- S. B. 360, An act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the Judge and Solicitor of the General County Court in Wilson County.
- H. B. 198, An act to authorize Buncombe County authorities to revalue property for taxation in certain cases.
- H. B. 458, An act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the Board of Education of Camden County.
- H. B. 552. An act for the relief of C. D. Sawyer, Tax Collector for the Town of Robbinsville, Graham County, authorizing the collection of back taxes.
  - H. B. 762. An act to amend the charter of the Town of Bessemer City.
- H. B. 785. An act to repeal the charter of the Town of Rutherford College, Burke County,
- H. B. 873, An act to fix fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court.

On motion of Mr. Cherry, the House adjourns until 11 o'clock tomorrow.

# SIXTY-THIRD DAY

House of Representatives, Friday, March 17, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. W. Davidson of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved. Leave of absence is granted to Mr. Beasley of Union County on account of sickness.

The courtesies of the floor are extended to: Mr. A. D. Ward of Craven County, former Member of the House, and Mr. Harry McMullan of Beaufort County, former Member of the Senate.

#### REPORTS OF COMMITTEES

Bills and regulations are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 961, A bill to be entitled An act to divert such moneys of the County of Pasquotank yet remaining under the Game Commission Fund to the General Fund.

And.

H. B. 973, A bill to be entitled An act to amend section 109 of the Consolidated Statutes relative to final accounts and discharge of executors and administrators.

With favorable reports.

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 941, A bill to be entitled An act to amend chapter 71, Public Laws of 1931, regulating life assessment insurance associations.

With a favorable report.

By Mr. Cherry, for the Committee on Roads:

H. B. 790, A bill to be entitled An act to repeal chapter 343, Public Local Laws of 1931, relating to a Highway Commission of Madison County.

With unfavorable report.

On motion of Mr. Sprinkle, the bill is taken from the Unfavorable Calendar, and recommitted to the Committee on Roads.

And,

H. B. 702, A bill to be entitled An act act to amend chapter 147, Public Laws of 1927, relative to horse-drawn vehicles on highways.

With a favorable report, as amended.

And

H. B. 911, A bill to be entitled An act to authorize the State Highway Commission to purchase, acquire, own, maintain and operate publicly or privately established toll bridges and ferries connecting parts of the State Highway System.

And,

H. B. 898, A bill to be entitled An act to provide for the allocation of State highway funds for use in repairing and maintaining the streets and roads in cities and towns.

And.

H. B. 732, A bill to be entitled An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the Turnpike Road connecting the settlements in Washington County and Beaufort County.

With unfavorable reports.

And,

H. B. 802, A bill to be entitled An act to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

And,

H. B. 863, A bill to be entitled An act to amend chapter 122, section 29, of the Public Laws of 1927, relative to motor vehicle license.

And

S. B. 252, A bill to be entitled An act to close a road and certain streets on the campus of Harris High School at Spruce Pine, North Carolina.

And

H. R. 946, Joint resolution relating to cannection of the State Highway System with Roanoke Island.

With favorable reports.

By Mr. Coffey, for the Committee on Finance:

H. B. 983, A bill to be entitled An act for extending the time for the foreclosure of certain taxes in Transylvania County.

And,

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

With unfavorable reports.

And.

H. B. 984, A bill to be entitled An act concerning the sale of land and other property for taxes in Transylvania County.

And,

H. B. 964, A bill to be entitled An act providing for a special levy for special purposes by counties.

With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. McEachern, Barden, Turner of Guilford and Johnson of Pender: H. B. 986, A bill to be entitled An act to reorganize the Department of Agriculture.

Referred to the Committee on Reorganization of State Government.

By Mr. Morphew: H. B. 987, A bill to be entitled An act for the betterment of farming conditions in Graham County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Bender: H. B. 988, A bill to be entitled An act to authorize the creation of the office of Tax Collector for the County of Jones.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Sprinkle: H. B. 989, A bill to be entitled An act fixing the salary of the County Auditor or Accountant of Madison County, and relating to his duties.

Referred to the Committee on Salaries and Fees.

By Mr. Galloway: H. B. 990, A bill to be entitled An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard.

Referred to the Committee on Counties, Cities and Towns.

By Mrs. Mebane: H. B. 991, A bill to be entitled An act to validate certain sales of land for street assessments in the Town of Leaksville, and certificates issued in pursuance thereof.

Referred to the Committee on Finance.

By Mr. Woodfin: H. B. 992, A bill to be entitled An act relating to the sale of fruits and vegetables in towns and cities in North Carolina.

Referred to the Committee on Finance.

By Mr. Flanagan: H. B. 993, A bill to be entitled An act to place Mrs. Lizzie Griffin, Mrs. Lydia Morgan and Mrs. Macy Stocks of Pitt County, widows of Confederate Veterans, on the Pension List.

Referred to the Committee on Pensions.

By Mr. Griffin: H. B. 994, A bill to be entitled An act to amend section 5108 (d), Volume III, of the Consolidated Statutes, relative to county boards of pensions.

Referred to the Committee on Pensions.

By Messrs. Grady and Woodall: H. B. 995, A bill to be entitled An act fixing the salary of Coroner of Johnston County.

Referred to the Committee on Salaries and Fees.

By Mr. Cover: H. B. 996, A bill to be entitled An act to create a Tax Commission for Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Hutchins: H. B. 997, A bill to be entitled An act to appoint a Board of Revaluation and Review in Yancey County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment,

By Mr. Everett: H. R. 998. Joint Resolution to pay the expenses of the Joint Sib-committee visiting the Western Carolina Teachers College, the Appalachian State Teachers College and the East Carolina Teachers College.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District.

H. B. 857, A bill to be entitled An act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County.

H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 369, A bill to be entitled An act relating to corporations for the protection and development of forests under supervision of the State.

Referred to the Committee on Conservation and Development.

H. B. 499, A bill to be entitled An act to amend and rewrite Section 6108 of the Consolidated Statutes, relating to the Enrollment of Acts of the General Assembly, and the employment of necessary assistance for that purpose.

For concurrence in the Senate Amendment.

On motion of Mr. Thomas, the House fails to concur in the Senate Amendment, and asks for a conference.

The Speaker appoints as conferees on the part of the House: Messrs. Cox, Makepeace and Thomas, and the Senate is so notified.

S. B. 10, A bill to be entitled An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

Referred to the Committee on Finance.

S. R. 255, A Joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

Referred to the Committee on Appropriations.

S. B. 276, A bill to be entitled An act to amend section 2015 of the Consolidated Statutes of North Carolina, relating to fishing in Roanoke River.

Referred to the Committee on Conservation and Development.

S. B. 295, A bill to be entitled An act to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery, and affrays, where deadly weapons are used and serious damage done.

Referred to the Committee on Judiciary No. 1.

#### SPECIAL MESSAGE

Mr. Speaker:

March 17, 1933.

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Hanes and Land to act as conferees with your appointees to consider the differences arising on H. B. 499, title "To amend and rewrite section 6108 of the Consolidated Statutes relating to the Enrollment of Acts of the General Assembly and the employment of necessary assistance for that purpose," and to adjust the same.

## Respectfully,

LEROY MARTIN,
Principal Clerk.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 956, A bill to be entitled An act to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present Tax Collector of Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 263, A bill to be entitled An act amending chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws of 1931, and being the "Uniform Act regulating the operation of vehicles on highways," so as to regulate and limit the use of public highways by motor trucks, semi-trailer trucks, semi-trailers and trailers; to enlarge the powers of the State Highway Commission and of incorporated cities and towns in respect thereof, and to repeal all laws inconsistent with this act.

On motion of Mr. Johnson of Chatham, the bill is made a Special Order for next Tuesday, March 21.

H. B. 882, A bill to be entitled An act to amend section 473 of the Consolidated Statutes in regard to a special venire from an adjoining county in capital felonies.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 881, A bill to be entitled An act to repeal any and all statutes, laws and clauses of laws, imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 313, A bill to be entitled An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

An amendment offered by Mr. Scarborough is adopted.

An amendment offered by Mr. Wilson is adopted.

An amendment offered by Mr. Binford is adopted.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in House amendments.

H. B. 869, A bill to be entitled An act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs, Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd,

Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

Substitute for:

H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge a privilege tax on the sale of oleomargarine.

Mr. Thompkins and others offer an amendment, which is adopted.

As amended, the bil Iremains on the Calendar for its second reading.

H. B. 929, A bill to be entitled An act to amend chapter 441 of the Public Laws of 1931, authorizing the levying of a special tax so as to include the County of Harnett.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

H. B. 719, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

Mr. Gardner offers a substitute for the bill, which is adopted, and remains on the Calendar for its second reading roll call.

H. B. 866, A bill to be entitled An act to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins,

Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

S. B. 319, A bill to be entitled An act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said County.

Passes its third reading by the following vote and is ordered Enrolled:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

S. B. 315, A bill to be entitled An act relative to the incorporated boundary line of the Town of Bakersville, and to authorize and empower the Clerk of the Superior Court of Mitchell County to appoint successors to the members of the Board of Aldermen of said town who may resign.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

H. B. 966, A bill to be entitled An act relating to the payment of township highway bonds in McDowell County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eagles, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Newman, O'Berry, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner, of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin—84.

Those voting in the negative are: None.

### UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration, substitute for Committee substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes; and to reduce salaries of officers, employees and agents.

The substitute for the Committee substitute having been adopted heretofore, the question now recurs to the passage of the substitute to the Committee substitute on its second reading.

On motion of Mr. Doughton, the House goes into Committee of the Whole, for the purpose of considering the substitute bill, section by section. The Speaker appoints the Gentleman from Rowan, Mr. Murphy, Chairman of the Committee of the Whole.

After consideration by the Committee, on motion of Mr. McEachern, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following report for the Committee:

Mr. Speaker:

Your Committee, having under consideration H. B. 125, the same being a substitute for the Committee substitute, heretofore adopted, The Appropriations Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: In section 1, the Committee recommends the adoption of subsections 1 and 2; subsection 3, as amended in items 2 and 16.

### Respectfully.

The report is adopted.

MR. MURPHY, Chairman,

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 891, An act to amend chapter 253, Public-Local Laws of 1931, creating a Board of Financial Control for Buncombe County and the City of Asheville.

- H. B. 106, An act to amend chapter 52, section 2532, of the Consolidated Statutes of North Carolina.
- H. B. 218, An act to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of Prohibition Law in certain counties.
- H. B. 888, An act to provide for the collection of taxes in the City of Wilmington, Town of Carolina Beach and County of New Hanover.
- S. B. 395, An act validating acts of the Clerk of the Superior Court of Alamance County in taxing costs in criminal actions, as provided in chapter 302, Public-Local Laws of 1929, and repealing said chapter 302, Public-Local Laws of 1929.
- H. B. 335, An act to amend section 21, chapter 4, Public Laws of 1921, and section 1, chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

On motion of Mr. Cherry, the House takes a recess until three o'clock this afternoon.

### AFTERNOON SESSION

House of Representatives,

FRIDAY AFTERNOON, March 17, 1933.

Pursuant to its recess, the House meets and resumes consideration of business, with Mr. Speaker Harris presiding.

On motion of Mr. Cherry, H. B. 911, A bill to be entitled An act to authorize the State Highway Commission to purchase, acquire, own, maintain and operate publicly or privately established toll bridges and ferries connecting parts of the State Highway System, is taken from the Unfavorable Calendar, and recommitted to the Committee on Roads.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 961, A bill to be entitled An act to divert such monies of the County of Pasquotank yet remaining under the Game Commission Fund to the General Fund

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 984, A bill to be entitled An act concerning the sale of land and other property for taxes in Transylvania County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 252, A bill to be entitled An act to close a road and certain streets on the campus of Harris High School at Spruce Pine, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. R. 300, Joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the Caswell Training School, Kinston, North Carolina.

On motion of Mr. Cherry, the bill is taken from the Committee on Appropriations and placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

#### UNFINISHED BUSINESS

The Speaker lays before the House, for its further consideration, substitute for the Committee substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes; and to reduce salaries of officers, employees and agents.

On motion of Mr. Cherry, the House goes into Committee of the Whole for the purpose of considering the substitute for Committee substitute, with Mr. Murphy presiding.

After consideration by the Committee, on motion of Mr. Everett, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following report for the Committee: Mr. Speaker:

Your Committee again having under consideration H. B. 125, the same being a stubstitute for the committee substitute, heretofore adopted, The Appropriations Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: Section 1, the consideration of which was not completed at its last sitting, the Committee recommends the adoption of item 1, as amended; items 2; 3, as amended; 4; 5, as amended; 6, as amended; 7, as amended; 8; 9; 10; 11; 12, as amended, and 13. These items, being all of sub-section 4, as amended; and, the Committee recommends its adoption, as amended.

# Respectfully,

MR. MURPHY, Chairman.

The report is adopted.

On motion of Mr. Graham, the House adourns until ten o'clock tomorrow.

### SIXTY-FOURTH DAY

House of Representatives, Saturday, March 18, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. W. Gilliam of Alamance County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County.

With unfavorable report as to bill; favorable as to Committee substitute. And,

H. B. 970, A bill to be entitled An act to amend chapter 344 and chapter 350, Public-Local Laws, 1931, relating to certain fees of the Clerk of the Superior Court and Register of Deeds of Granville County.

And,

H. B. 971, A bill to be entitled An act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

With favorable reports.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mrs. Mebane and Mr. Binford: H. B. 999, A bill to be entitled An act to provide for the holding of an election in Leaksville Township Public School District for the purpose of voting upon the repeal of the levy of the special school tax in said District.

Reerred to the Committee on Education.

By Mr. Wilson (by request): H. B. 1000, A bill to be entitled An act to provide for the appointment of a County Superintendent of Weights and Measures in certain counties.

Referred to the Committee on Agriculture.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 299, A bill to be entitled An act to validate judgments under which contingent remainders and executory devises have been partitioned.

Referred to the Committee on Judiciary No. 1.

S. B. 363, A bill to be entitled An act to amend section 35, chapter 60, Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

Referred to the Committee on Finance.

S. B. 365, A bill to be entitled An act regulating the advertising and sale of bankrupt, receivership, assignment, insolvency, fire, closing-out or auction stocks of merchandise in the City of Burlington, Alamance County.

Referred to the Committee on Finance.

Senate Committee substitute for:

H. B. 320, A bill to be entitled An act, relating to costs, and to trial by jury in criminal actions tried in the County Recorder's Court of Mecklenburg County.

For adoption of the Senate substitute.

On motion of Mr. Taylor of Mecklenburg, the Senate substitute is adopted. Passes its second and third readings, and is ordered Enrolled.

The original House bill is laid on the table.

S. B. 207, A bill to be entitled An act to add to the Standards of Capacity Measure the one-third quart and legalizing its use.

Referred to the Committee on Judiciary No. 1.

S. B. 333, A bill to be entitled An act to amend the Preamble and the several sections of the Constitution of North Carolina.

On motion of Mr. Murphy, the bill is placed on the Calendar.

S. B. 407, A bill to be entitled An act to authorize the governing body of the Town of Raeford to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessment.

On motion of Mr. McEachern, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

Substitute for:

H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts.

Placed on the Calendar for concurrence in the Senate amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 678, A bill to be entitled An act to consolidate the office of County Attorney and the office of Assistant Solicitor and to make the office herein provided for elective.

Mr. Hoyle offers a substitute for the bill.

The substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

On motion of Mr. Newman, the House adjourns until Monday afternoon at three o'clock.

### SIXTY-FIFTH DAY

House of Representatives, Monday, March 20, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Gattis, for the Committee on Health:

H. B. 906, A bill to be entitled An act to amend chapter 87, Public Laws 1925, and all laws amendatory thereto.

Bill reported without prejudice.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Randolph: H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 1002, A bill to be entitled An act to coördinate the activities of State departments in maintenance of the sanitary quality and economic untility of North Carolina water courses.

Referred to the Committee on Conservation and Development.

By Mr. Gilliam: H. B. 1003, A bill to be entitled An act to amend section 2, chapter 165, Private Laws of 1903, relating to the election of the members of the Board of Trustees of the Mebane School District.

Referred to the Committee on Education.

By Mr. Harris: H. B. 1004, A bill to be entitled An act to appoint delegates to the second Interstate Legislative Assembly.

On motion of Mr. Murphy, the bill is placed on the Calendar.

By Mr. Flanagan: H. B. 1005, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Ayden, North Carolina.

Referred to the Committee on Finance.

By Mr. Coffey: H. B. 1006, A bill to be entitled An act relating to licensing shows outside incorporated towns in Caldwell County.

Referred to the Committee on Finance.

And.

H. B. 1007, A bill to be entitled An act extending the licensing power of the governing board of the City of Lenoir.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 1008, A bill to be entitled An act to amend the charter of the Town of Granite Falls.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Cover: H. B. 1009, A bill to be entitled An act to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.

Referred to the Committee on Finance.

By Mr. Hamilton: H. B. 1010, A bill to be entitled An act to authorize the State Highway Commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout bridge and highway.

Referred to the Committee on Roads.

By Mr. Makepeace: H. B. 1011, A bill to be entitled An act to authorize the Town of Sanford to refund certain outstanding bonds.

On motion of Mr. Makepeace, the bill is placed on the Calendar.

By Mr. Massenburg: H. B. 1012, A bill to be entitled An act to describe and define the limits and boundaries of the City of Saluda in Polk County.

On motion of Mr. Massenburg, the bill is placed on the Calendar.

By Mr. Thompson of Beaufort: H. B. 1013, A bill to be entitled An act to amend chapter 34 of the Public Laws of 1929 of North Carolina relating to the sterilization of persons mentally defective.

Referred to the Committee on Judiciary No. 2.

By Messrs. Griffin and Massenburg: H. B. 1014, A bill to be entitled An act to amend chapter 207, Public Laws, 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk counties.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Brown: H. B. 1015, A bill to be entitled An act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal.

Referred to the Committee on Judiciary No. 2.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 368, A bill to be entitled An act to authorize the appointment of deputies and clerks, office force and assistants for the Sheriff of the County of Wake and to provide for their compensation.

Reerred to the Committee on Judiciary No. 2.

S. B. 408, A bill to be entitled An act authorizing the Commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the sinking fund of said county.

Referred to the Committee on Judiciary No. 2.

Substitute for:

H. B. 938, A bill to be entitled An act to authorize the Commissioners of Chowan County to fix the salaries of certain officers of said county within certain limits.

Placed on the Calendar for concurrence in the Senate Substitute.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 555, A bill to be entitled An act to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts.

For concurrence in the Senate Amendment.

On motion of Mr. Boyd, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

H. B. 652, A bill to be entitled An act to regulate the leasing of storage

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 702, A bill to be entitled An act to amend chapter 147, Public Laws of 1927, relative to horse-drawn vehicles on highways.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 662, A bill to be entitled An act to amend section 3243 of the Consolidated Statutes, relative to sales.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 664, A bill to be entitled An act to amend chapter 124, Public Laws, 1931, known as the Uniform Criminal Extradition Act.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 180, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

An amendment offered by Mr. Cameron is adopted.

An amendment offered by Messrs. Berryman and Spruill is adopted.

An amendment offered by Mr. Boyd is adopted.

An amendment offered by Mr. Cherry is adopted.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House amendments.

H. B. 916, A bill to be entitled An act to amend chapter 40A, section 2202, sub-section 10, and section 2202, sub-section 13, of the Consolidated Statutes of North Carolina, relating to investment of funds by guardians.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. R. 946, A joint resolution relating to connection of the State Highway System with Roanoke Island.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 969, A bill to be entitled An act, relating to the purchase and sale of milk bottles.

An amendment offered by Mr. Wilson is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 902, A bill to be entitled An act, relating to the purchase and sale of milk bottles in Cumberland County.

On motion of Mr. Crews, the bill is laid on the table.

H. B. 725, A bill to be entitled An act, pertaining to a minimum charge for electric current where same is metered to user.

Two Committee amendments are adopted.

On motion of Mr. Galloway, the bill and amendments are laid on the tab's

H. B. 745, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 760, A bill to be entitled An act to regulate the sale of certain assets of defunct banks.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Committee substitute for:

H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 970, A bill to be entitled An act to amend chapter 344 and chapter 350, Public-Local Laws, 1931, relating to certain fees of the Clerk Superior Court and Register of Deeds of Granville County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 971, A bill to be entitled An act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 802, A bill to be entitled An act to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 849, A bill to be entitled An act to amend chapter 149, Public Laws of 1927, the same being entitled "An act to provide laws governing the sale of stocks, bonds and other securities in the State of North Carolina and repeal chapter 190, Public Laws of 1925."

On motion of Mr. Froneberger, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 837, A bill to be entitled An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisement.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Substitute for:

H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge a privilege tax on the sale of oleomargarine.

On motion of Mr. Womble, the substitute and original bill are recommitted to the Committee on Finance.

H. B. 941, A bill to be entitled An act to amend chapter 71, Public Laws of 1931, regulating life assessment insurance associations.

On motion of Mr. Vann, the bill is recommitted to the Committee on Insurance.

H. B. 869, A bill to be entitled An act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock, of Wake, Aycock of Wayne, Beasley, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Etheridge, Everett,

Flanagan, Galloway, Gardner, Garibaldi, Gilliam, Grady, Griffin, Hamilton, Haynes, Howell, Hoyle, James, Johnson of Chatham, Ledford, Makepeace, Martin, Massenburg, Mebane, Moore, Moss, Murphy, McEachern, Neal, Oaks, O'Berry, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Williams, Wilson, Womble, Woodall and Woodfin—75.

Those voting in the negative are: None.

On motion of Mr. Johnson of Pender, S. B. 303, A bill to be entitled An act to amend section 5178 of the Consolidated Statutes relative to penalty for nonpayment of dues in building and loan associations, is taken from the Unfavorable Calendar, and recommitted to the Committee on Insurance.

On motion of Mr. Galloway, H. B. 983, A bill to be entitled An act for extending the time for the foreclosure of certain taxes in Transylvania County is taken from the Unfavorable Calendar and recommitted to the Committee on Finance.

#### ENROLLED BILLS

Mr. Woodfin, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 313, An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.
- S. B. 315, An act relative to the incorporated boundary line of the Town of Bakersville, and to authorize and empower the Clerk of the Superior Court of Mitchell County to appoint successors to members of the Board of Aldermen of said town who may resign.
- S. B. 319, An act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county.
- S. B. 385, An act to amend chapter 368 of the Public-Local Laws of 1911, and amendments thereto, relating to the Police Court in the Town of Canton, Haywood County.
- H. B. 201, An act to repeal chapter 134, Public-Local Laws, 1927, relating to enforcement of the Prohibition Law in Cherokee County.
- H. B. 311, An act to amend chapter 86, of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates.
- H. B. 377, An act to amend chapter 170, Laws 1921, relating to standard weight packages of hominy and grits.
- H. B. 425, An act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.
- H. B. 490, An act to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.
- H. B. 579, An act authorizing the Board of County Commissioners of Jackson County to assume cerain bonded indebtedness of Dillsboro Township.
- H. B. 525, An act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929,

so as to make the administration of the Election Laws more economical and more efficient.

- H. B. 693, An act to amend Consolidated Statute No. 6055, subsection (a26) and Consolidated Statute No. 6055, subsection (a27) as applicable to holding general elections in Brunswick County.
  - H. B. 804, An act to fix the compensation of jurors in Durham County.
- H. B. 805, An act to provide for the regulation of peddlers in the City of Charlotte, North Carolina.
- H. B. 814, An act to extend the time for beginning actions against A. J. Fagg, former Clerk of Superior Court of Stokes County, and his official bond.
- H. B. 819, An act to establish a consolidated governing body for the City of Durham and Durham County.
- H. B. 824, An act to repeal chapter 532, Public-Local and Private Laws of 1927, the same being An act to provide for better enforcement of the Prohibition Law in Polk and Transylvania counties.
- H. B. 825, An act to amend chapter 372, Public-Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.
- H. B. 841, An act to authorize the Commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county.
- H. B. 846, An act to amend chapter 490, Private acts of the General Assembly, 1907, so as to permit police officers of the Town of Denton to serve process one mile beyond the limits of the Town of Dention.
- H. B. 848, An act to amend the charter of the City of Lexington and validate certain acts of the City of Lexington.
- H. B. 852, An act to fix the amount of the official bond of the Clerk of the Superior Court of Yancey County.
- H. B. 861, An act to amend the charter of the Town of Morehead City, so as to provide for the election of Chief of Police.
- H. B. 832, An act to amend chapter 109, Public-Local Laws of 1931, relating to a Jury Commission for Cherokee County.
- H. B. 965, An act to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the Recorder's Court of Cumberland County.
- H. B. 967, An act to repeal chapter 415 of the Public-Local Laws of the General Assembly of North Carolina of 1929 entitled "An act to restore full ballot rights to voters entitled to participate in municipal primaries," in so far as said act applies to the City of Fayetteville, in Cumberland County, North Carolina, so that the candidate for alderman for each ward shall be nominated by the electors of such ward.
- H. B. 982, An act to require the Sheriff, Clerk of Court and Register of Deeds for Richmond County to keep a permanent record of receipts and expenditures of their offices.
- S. B. 252, An act to close a road and certain streets on the campus of Harris High School at Spruce Pine, N. C.
- S. R. 300, A joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the Caswell Training School, Kinston, North Carolina.

- H. B. 320, An act relating to costs, and to trial by jury, in criminal actions tried in the County Recorder's Court of Mecklenburg County.
- S. B. 407, An act to authorize the governing body of the Town of Raeford to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.
  - H. B. 367, An act to prohibit the setting of steel traps in Greene County.
- H. B. 435, An act relating to hunting wild hogs, raccoon and opossum in Graham County.
- H. B. 556, An act to amend section 47, chapter 277, Public Laws of 1919, relating to Recorders' Courts,
- H. B. 603, An act to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.
- H. B. 605, An act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the Tax Collector and the expense of the collection of taxes in Franklin County.
- H. B. 630, An act to regulate the fees of the various Justices of the Peace of Mecklenburg County.
- H. B. 698, An act to amend chapter 431 of Public-Local Laws of 1927 and Chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of Game Commissioners.
- H. B. 704, An act to amend chapter 206, Public-Local Laws of Extra Session of 1920, providing compensation for cotton weigher at Enfield.
- H. B. 731, An act to facilitate the sale and consumption of North Carolina farm products.
- H. B. 752, An act to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County.
- H. B. 763, An act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the Register of Deeds and the Clerk of the Court of Franklin County.
- H. B. 764, An act to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the Sheriff of Franklin County.
- H. B. 771, An act to prevent hunting of wild animals or other game by fire-lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.
- H. B. 811, An act to amend House Bill 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to Chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.
- H. B. 835, An act to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, Notary Public for Forsyth County, appointed by His Excellency the Governor of North Carolina, O. Max Gardner, July 24, 1930.
- H. R. 884, Joint resolution of the General Assembly of North Carolina, relating to the relief of the Counties of Haywood and Swain in the State of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park.

- H. B. 897, An act to permit the Commissioner of Motor Vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933.
- H. B. 912, An act to prohibit the setting of steel traps in Northampton County.
  - H. B. 932, An act to protect sheep and other domestic animals from dogs.
- H. B. 959, An act relating to the employment of a court stenographer in Lincoln County.
- H. B. 997, An act to appoint a Board of Revaluation and Review in Yancey County.

On motion of Mr. Cherry, the House takes a recess until eight o'clock tonight.

### NIGHT SESSION

House of Representatives, Monday Night, March 20, 1933.

Pursuant to recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

### CONFERENCE REPORT

To the President of the Senate and the Speaker of the House:

Report of Senate and House Conferees on Senate Bill No. 96:

The undersigned Senate and House conferees recommend:

First: That the House recede from its fourth amendment.

Second: That the Senate accept the House's ninth amendment.

Third: That the Senate accept the remaining House amendments.

It having been agreed that section 15 of the Appropriation Bill be stricken out so that all receipts therein referred to may be retained by the Highway Commission in lieu of the appropriation of \$546,210.00 which is to be eliminated and stricken from the Appropriation Bill.

### Respectfully submitted,

L. I. Moore, Hayden Clement, Senate Conferees.

S. C. BRAWLEY,
THOMAS O'BERRY,
R. G. CHERRY,

House Conferees.

The report is adopted, and the Senate is so notified, to the end that when a similar report is adopted by that Body, the bill may be ordered Enrolled.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Sullivan: H. B. 1016, A bill to be entitled An act to create utility district and a district utility corporation for the City of Asheville and County of Buncombe, and to define the powers, duties and scope thereof.

Referred to the Committee on Judiciary No. 2.

By Mr. Massenburg: H. B. 1017, A bill to be entitled An act to authorize the City of Saluda to accept past-due street improvement bonds and coupons as payment on street assessments.

Referred to the Committee on Finance.

By Mr. Bender, by request: H. B. 1018, A bill to be entitled An act to make it unlawful for any banking corporation or trust company to engage, either directly or indirectly in the business of writing fire insurance or any other kind or form of insurance in the State of North Carolina.

Referred to the Committee on Banks and Banking.

By Mr. Galloway: H. B. 1019, A bill to be entitled An act to regulate the salaries of public officials in Transylvania County and for other purposes Referred to the Committee on Salaries and Fees.

By Messrs. Grady and Woodall: H. B. 1020, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County in three classes.

Referred to the Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session 1931, relating to five cents special tax levy in Alexander County.

An amendment offered by Mr. Ray is adopted.

As amended, the bill remains on the Calendar for its second reading.

### UNFINISHED BUSINESS

The Speaker lays before the House, for its further consideration, Substitute for Committee Substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes; and to reduce salaries of officers, employees and agents.

On motion of Mr. Cherry, the House goes into Committee of the Whole for the purpose of considering the same, Mr. Murphy presiding.

After consideration by the Committee, on motion of Mr. Everett, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following report for the Committee:

Mr. Speaker:

Your Committee having under consideration H. B. 125, the same being a Substitute for the Committee Substitute, heretofore adopted, The Appropriations Act, reports progress as follows:

The Committee recommends the adoption of the following sections to wit: In Section 1, the consideration of which was not completed at its last sitting, Mr. Harris offered amendments to Items One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Fourteen, Fifteen, Sixteen, of subsection Five, all of which were adopted by the following roll call vote:

Those voting in the affirmative are: Messrs. Aycock of Wayne, Barden, Bean, Beasley, Bender, Braddy, Cox, Culpepper, Dees, Doughton of Alleghany,

Etheridge, Everett, Ewing, Garrou, Gattis, Grady, Graham, Griffin, Groves, Harris, Hamilton, Haynes, Howell, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Martin, Massenburg, Mizzell, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Ruark, Scarborough, Smith, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, White, Wilson and Young—53.

Those voting in the negative are: Messrs. Allen, Arndt, Berryman, Bowie, Boyd, Brock, Brown, Cameron, Coffey, Cowles, Crews, Davis, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gilliam, Graeber, Grant, Greene, Hoyle, Ingram, Ledford, Makepeace, Monroe, Moore, Moye, Oaks, Sigmon, Spruill, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Williams, Woodall and Woodfin—48.

The following pairs are announced:

Mr. Brawley with Mr. Olive—were Mr. Olive present he would vote "no," Mr. Brawley would vote "aye."

Mr. Cherry with Mr. Newman—were Mr. Newman present he would vote "aye," Mr. Cherry would vote "no."

Mrs. Mebane with Mr. Binford—were Mr. Binford present he would vote "no," Mrs. Mebane would vote "aye."

Mr. Rouse with Mr. Watson—were Mr. Watson present he would vote "no," Mr. Rouse would vote "aye."

Mr. Womble with Mr. Morphew—were Mr. Morphew present he would vote "aye," Mr. Womble would vote "no."

The Committee recommends the adoption of all of Subsection Five, as amended.

The Committee recommends the adoption of Items One, as amended; Two, as amended; Three, as amended; Four, as amended; Five, Six, Seven, Eight, Nine and Ten in Subsection Six.

The Committee recommends the adoption of said Subsection Six, as amended.

The Committee recommends the adoption of Subsection Seven, as amended in the following Items:

Messrs. Barden and Turner of Guilford offered an amendment to Item One, which was adopted by the following roll call vote:

Those voting in the affirmative are: Messrs. Aycock of Wayne, Barden, Beasley, Bender, Berryman, Braddy, Brock, Brown, Cameron, Coffey, Cox, Davis, Dees, Doughton of Alleghany, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Garrou, Gattis, Gilliam, Graham, Greene, Griffin, Groves, Harris, Hamilton, Haynes, Howell, Ingram, James, Johnson of Chatham, Ledford, Lee, Lumpkin, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Pope, Randolph, Ray, Ruark, Scarborough, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Warlick, White, Wilson, Woodall and Young—70.

Those voting in the negative are: Messrs. Allen, Arndt, Bean, Bowie, Boyd, Douglass, Dowtin of Warren, Eagles, Falkner, Froneberger, Gardner, Garibaldi, Grant, Hoyle, Makepeace, Sigmon, Tatem, Taylor of Mecklenburg, Thompson of Robeson, Turner of Iredell, Vann, Williams, and Woodfin—23.

The following pairs are announced:

Mr. Brawley with Mr. Olive—were Mr. Olive present he would vote "no," Mr. Brawley would vote "aye."

Mrs. Mebane with Mr. Binford—were Mr. Binford present he would vote "no," Mrs. Mebane would vote "aye."

Mr. Rouse with Mr. Watson—were Mr. Watson present he would vote "no," Mr. Rouse would vote "aye."

Mr. Womble with Mr. Morphew—were Mr. Morphew present he would vote "aye," Mr. Womble would vote "no."

Mr. Cherry with Mr. Newman—were Mr. Newman present he would vote "aye," Mr. Cherry would vote "no."

The Committee recommends the adoption of Subsection Eight.

Respectfully,

Mr. Murphy, Chairman.

The report is adopted and the Substitute remains on the Calendar for its further consideration.

MESSAGE FROM THE SENATE

The following message is received from the Senate:

March 20, 1933.

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body with the information that the Senate has adopted the conferees' report on S. B. 96, title "To amend chapter 2, Public Laws 1921, and all Acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, and awaits a message from your Body with information upon the action taken thereon.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Gilliam, the House adjourns until eleven o'clock tomorrow.

### SIXTY-SIXTH DAY

House of Representatives, Tuesday, March 21, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Patrick N. Gallagher of the University of North Carolina. Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Judge N. A. Townsend of Harnett County, former member of the House.

### CONFERENCE COMMITTEE'S REPORT

March 21, 1933.

To the Senate and House of Representatives:

We, the undersigned Conference Committee, appointed by the House and Senate to consider the differences arising on House Bill No. 499, title "To amend and rewrite section 6108 of the Consolidated Statutes relating to the enrollment of Acts of the General Assembly and the employment of necessary assistance for that purpose," recommend the following:

- 1. That the Senate recede from its Amendment designated as No. 1.
- 2. That the Senate Amendment, designated as No. 2, be adopted.

## Respectfully,

E. M. LAND,

R. M. HANES,

Conferees on part of Senate.

R. M. Cox,

O. P. MAKEPEACE.

F. E. THOMAS,

Conferees on part of House.

The report is adopted, and the Senate is so notified to the end that when a similar report is adopted by that Body, the bill may be ordered Enrolled.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 406, A bill to be entitled An act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years.

With an unfavorable report as to Bill; favorable as to Committee Substitute. And,

S. B. 207, A bill to be entitled An act to add to the standards of capacity measure the one-third quart, and legalizing its use.

With an unfavorable report.

And,

S. B. 324, A bill to be entitled An act to amend section 2285 of the Consolidated Statutes of North Carolina relating to process and jury service issued and under said section.

And,

S. B. 295, A bill to be entitled An act to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery, and affrays, where deadly weapons are used and serious damage done.

And,

S. B. 229, A bill to be entitled An act to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.

With favorable reports.

And,

S. B. 181, A bill to be entitled An act to amend chapter 86, Public Laws of North Carolina, Session 1925, the same being An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executors or collectors.

And,

And.

S. B. 241, A bill to be entitled An act to amend section 2578, Consolidated Statutes of North Carolina, with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

S. B. 191, A bill to be entitled An act to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death. With favorable reports, as amended.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries: H. B. 839, A bill to be entitled An act to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties. With a favorable report.

#### REPORT OF RULES COMMITTEE

At a meeting of the Rules Committee, held on Monday, March 20, a majority being present it is recommended to the House that the services of all committee clerks except to Finance, Appropriations and Judiciaries Committees be dispensed with, effective Saturday, March 25, 1933.

Cox, Chairman,

The report is adopted.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 664, A bill to be entitled An act to amend chapter 124, Public Laws of 1931, known as the Uniform Criminal Extradition Act.

H. B. 652, A bill to be entitled An act to regulate the leasing of storage batteries.

H. B. 702, A bill to be entitled An act to amend chapter 148, Public Laws of 1927, relative to horse-drawn vehicles on highways.

H. B. 760, A bill to be entitled An act to regulate the sale of certain assets of defunct banks.

H. B. 969, A bill to be entitled An act relating to the purchase and sale of milk bottles.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Wilson and Cowles: H. B. 1021, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1927, being An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina.

Referred to the Committee on Agriculture.

By Mr. Eagles: H. B. 1022, A bill to be entitled An act to regulate duties of Sheriff of Edgecombe County and establish office of tax collector of Edgecombe County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Wilson: H. B. 1023, A bill to be entitled An act supplemental to and amending Senate Bill 313, which was ratified on the 20th of March, 1933, and entitled "An act relating to the fees for registering Federal crop liens and Federal mortgages."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Doughton of Alleghany: H. B. 1024, A bill to be entitled An act to amend Local Government Law relating to issuing and selling bonds for construction of Courthouse in Alleghany County.

On motion of Mr. Doughton, the bill is placed on the Calendar.

By Mr. Galloway, by request: H. B. 1025, A bill to be entitled An act to authorize the collection of certain water rates in the Town of Brevard.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Neal: H. B. 1026, A bill to be entitled An act to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter. Referred to the Committee on Judiciary No. 1.

By Mr. Thompson of Columbus: H. B. 1027, A bill to be entitled An act to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.

Referred to the Committee on Propositions and Grievances.

By Mr. Ruark: H. B. 1028, A bill to be entitled An act to regulate the compensation of the Sheriff of Brunswick County with reference to tax suits.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Scarborough: H. B. 1029, A bill to be entitled An act to repeal chapter 107 of the Public-Local Laws, Extra Session of 1924, and to fix the compensation of the Sheriff of Richmond County and to provide for the time of payment thereof.

On motion of Mr. Scarborough, the bill is placed on the Calendar.

By Mr. Tatem: H. B. 1030, A bill to be entitled An act to authorize the issuance of script by Tyrrell County.

Referred to the Committee on Finance.

By Mr. Greer: H. B. 1031, A bill to be entitled An act to amend chapters 84 and 424, Public Laws 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander counties.

Referred to the Committee on Courts and Judicial Districts.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 847, A bill to be entitled An act to amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said Court.

Placed on the Calendar for concurrence in the Senate Amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Senate Substitute for:

H. B. 938, A bill to be entitled An act to reduce the salaries of certain officers of Chowan County.

For concurrence in the Senate Substitute.

Senate Substitute adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House Bill is laid on the Table.

H. B. 935, A bill to be entitled An act relating to corporations for the protection and development of forests under supervision of the State.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 242, A bill to be entitled An act to amend the Charter of the City of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government and for other purposes.

The bill fails to pass its third reading by the following vote:

Those voting in the affirmative are: Messrs. Allen, Bean, Bowie, Boyd, Brawley, Brown, Cox, Crews, Doughton of Alleghany, Douglass, Eaton, Etheridge, Ewing, Flanagan, Gardner, Garibaldi, Gattis, James, Johnson of Pender, Lee, Lumpkin, Makepeace, Mizzell, Murphy, McEachern, Neal, O'Berry, Phillips, Randolph, Scarborough, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Guilford, Vann, Warlick, Williams and Wilson—42.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Beasley, Bender, Berryman, Boswell, Braddy, Brock, Cameron, Coffey, Cover, Cowles, Davis, Dees, Eagles, Edwards, English, Falkner, Froneberger, Galloway, Garrou, Gatling, Gilliam, Graeber, Greene, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Martin, Mebane, Moore, Moss, Moye, Pope, Ray, Rouse, Ruark, Sigmon, Smith, Spruill, Tatem, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Womble, Woodall, Woodfin and Young—53.

The following pair is announced:

Mr. Cherry with Mr. Olive—were Mr. Olive present he would vote "aye," Mr. Cherry would vote "no."

The following members vote present:

Messrs. Hamilton, Groves and Everett.

Mr. Tatem makes a motion that the vote by which the bill failed to pass its third reading be reconsidered, and that motion be laid on the Table. It is so ordered.

H. B. 1011, A bill to be entitled An act to authorize the Town of Sanford to refund certain outstanding bonds.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

H. B. 1012, A bill to be entitled An act to designate and define the limits and boundaries of the City of Saluda, in Polk County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Ledford, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting in the negative are: None.

### UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration, Substitute for the Committee Substitute for H. B. 125, a bill to be entitled An act to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions, and Agencies, and for other purposes; and to reduce salaries of officers, employees, and agents.

On motion of Mr. Cherry, the House goes into Committee of the Whole, for the purpose of considering the Substitute section by section, Mr. Murphy presiding.

After consideration by the Committee, on motion of Mr. Turner of Guil-

ford, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following reports for the Committee:

Mr. Speaker:

Your Committee having under consideration H. B. 125, the same being a Substitute for the Committee Substitute, heretofore adopted, the Appropriations Act, reports progress as follows:

The Committee recommends the adoption of the following sections to wit: In section I, the consideration, of which was not completed at its last sitting, the Committee recommends the adoption of Subsection 9 as amended in the following items.

Messrs. Barden and Turner of Guilford offered an amendment to item I which was adopted by the following roll call vote:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Bender, Boswell, Braddy, Brock, Dees, Doughton of Alleghany, Edwards, English, Etheridge, Everett, Flanagan, Gatling, Gattis, Gilliam, Grady, Graham, Greene, Griffin, Groves, Hamilton, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Martin, Mizell, Moore, Moss, Moye, Murphy, McEachern, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Smith, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Warlick, White, Wilson and Young—58.

Those voting in the negative are: Messrs. Allen, Berryman, Bowie, Boyd, Brown, Cameron, Coffey, Cover, Cowles, Crews, Davis, Douglass, Dowtin of Warren, Eagles, Eaton, Ewing, Falkner, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Graeber, Grant, Greer, Haynes, Hoyle, Ingram, Ledford, Makepeace, Monroe, Sigmon, Spruill, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Williams, Woodall and Woodfin—43.

The following pairs are announced:

Mr. Brawley with Mr. Olive—were Mr. Olive present he would vote "no," Mr. Brawley would vote "aye."

Mr. Massenburg with Mr. Watson—were Mr. Watson present he would vote "no," Mr. Massenburg would vote "aye."

Mr. Binford with Mrs. Mebane—were Mr. Binford present he would vote "no," Mrs. Mebane would vote "aye."

Mr. Morphew with Mr. Womble—were Mr. Morphew present he would vote "aye," Mr. Womble would vote "no."

Mr. Cherry with Mr. Newman—were Mr. Newman present he would vote "aye," Mr. Cherry would vote "no."

Item 2, as amended.

### Respectfully,

MR. MURPHY, Chairman.

The report is adopted, and the Substitute for the Committee Substitute remains on the Calendar for further consideration.

On motion of Mr. Gilliam, the House takes a recess until 8:00 o'clock tonight.

### NIGHT SESSION

House of Representatives, Tuesday, March 21, 1933.

Pursuant to its recess, the House meets, and resumes consideration of its business with Mr. Speaker Harris presiding.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 228, A bill to be entitled An act to regulate the transportation of raw or uncured or uncanned fish to be sold or offered for sale for food purposes.

And.

H. B. 229, A bill to be entitled An act to regulate the packing and sale of fish and/or seafood.

And,

H. B. 309, A bill to be entitled An act to protect fish in the waters of Beaufort, Hyde and Tyrrell counties.

With unfavorable reports.

By Mr. Doughton, for the Committee on Finance:

S. B. 363, A bill to be entitled An act to amend section 35, chapter 60, Public Laws 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

And,

S. B. 389, A bill to be entitled An act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

And,

H. B. 1009, A bill to be entitled An act to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.

And,

H. B. 1030, A bill to be entitled An act to authorize the issuance of scrip by Tyrrell County.

And,

S. B. 10, A bill to be entitled An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

And,

H. B. 991, A bill to be entitled An act to validate certain sales of land for street assessments in the Town of Leaksville, and certificates issued in pursuance thereof.

And,

H. B. 1005, A bill to be entitled An act to extend the time for payment of street assessments in the Town of Ayden, North Carolina.

And,

H. B. 1006, A bill to be entitled An act relating to licensing shows outside incorporated towns in Caldwell County.

With favorable reports.

And,

H. B. 94, A bill to be entitled An act to empower the Local Government Commission to effect settlement between local units of government and the holders of the bonds or other evidences of indebtedness of such local units which are now or may hereafter be in default.

And.

H. B. 983, A bill to be entitled An act for extending the time for the foreclosure of certain taxes in Transylvania County.

With unfavorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Hamilton: H. B. 1032, A bill to be entitled An act to allow certain discounts in the payment of delinquent taxes in the Town of Beaufort.

On motion of Mr. Hamilton, the bill is placed on the Calendar.

By Mr. Griffin: H. B. 1033, A bill to be entitled An act relating to the payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County.

On motion of Mr. Griffin, the bill is placed on the Calendar.

By Mr. Ingram: H. B. 1034, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Macon County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to Senate without Engrossment.

By Mr. Woodall: H. B. 1035, A bill to be entitled An act to place the name of Mrs. Effic Stephenson of Johnston County on the Pension List.

Referred to the Committee on Pensions.

By Mr. Ledford, by request: H. B. 1036, A bill to be entitled An act to amend chapter 35 of the Private Laws of 1920, relative to the town limits of the Town of Hayesville.

Referred to the Committee on Counties, Cities and Towns.

# SENATE MESSAGES

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 354, A bill to be entitled An act to amend chapter 87, Public Laws of 1921, relating to cooperative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members.

Referred to the Committee on Agriculture.

S. B. 356, A bill to be entitled An act to permit the consolidation of counties by popular vote therein.

Referred to the Committee on Counties, Cities and Towns.

S. B. 357, A bill to be entitled An act to permit the annexation of one county by another by popular vote.

Referred to the Committee on Counties, Cities and Towns.

S. B. 358, A bill to be entitled An act to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

Referred to the Committee on Counties, Cities and Towns.

S. B. 361, A bill to be entitled An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina.

Referred to the Committee on Education.

S. B. 377, A bill to be entitled An act to provide for special judges in North Carolina.

Referred to the Committee on Judiciary No. 1.

- S. B. 381, A bill to be entitled An act to provide for funding and refunding of debts of local units of government other than counties, cities and towns. Referred to the Committee on Finance.
- S. B. 382, A bill to be entitled An act to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

Referred to the Committee on Finance.

S. B. 415, A bill to be entitled An act relating to the appointment of members of the Board of Education for Pender County.

Referred to the Committee on Education.

H. B. 221, A bill to be entitled An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

For concurrence in the Senate amendments.

On motion of Mr. Hamilton, the House fails to concur in the Senate amendments, and a conference is asked for.

The Speaker appoints as conferees on the part of the House: Messrs. Moss, Hamilton and Warlick, and the Senate is so notified.

S. B. 383, A bill to be entitled An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

Referred to the Committee on Finance.

S. B. 400, A bill to be entitled An act to require the Commissioner of Banks to file quarterly in the office of the Clerk of the Superior Court of every county in the State the names of attorneys and accountants employed by said Commissioner, the nature of their employment and a statement showing fees paid said attorneys and accountants in connection with the liquidation of banks located in that county.

Referred to the Committee on Banks and Banking.

S. B. 404, A bill to be entitled An act to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.

Referred to the Committee on Insane Asylums.

S. B. 414, A bill to be entitled An act to fix the compensation of the Sheriff of Harnett County and to clarify the law with respect thereto.

Referred to the Committee on Salaries and Fees.

## SPECIAL MESSAGE

SENATE CHAMBER, March 21, 1933.

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body with the information that the Senate has adopted the Conferees' Report on H. B. 499, title, "To amend and rewrite section 6108 of the Consolidated Statutes relating to enrollment of Acts of the General Assembly, and employment of assistance for that purpose," to the end that the bill may be ordered enrolled.

# Respectfully,

LEROY MARTIN, Principal Clerk.

A similar report having been adopted by the House, the bill is ordered Enrolled.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. R. 255, Joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

On motion of Mr. O'Berry, the bill is recalled from the Committee on Appropriations and placed on the Calendar for its immediate consideration. Passes its second and third readings, and is ordered Enrolled.

H. B. 1029, A bill to be entitled An act to repeal chapter 107 of the Public-Local Laws, Extra Session of 1924, and to fix the compensation of the Sheriff of Richmond County and to provide for the time of payment thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 839, A bill to be entitled An act to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

Mr. Davis offers a substitute for the bill.

The substitute is adopted, and remains on the Calendar for its several readings.

### UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration, substitute for the Committee substitute for H. B. 125, a bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and to reduce salaries of officers, employees, and agents.

On motion of Mr. Cherry, the House goes into Committee of the Whole, for the purpose of considering the substitute, section by section, with Mr. Murphy presiding.

After consideration by the Committee, on motion of Mr. Cherry, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Murphy makes the following reports for the Committee: Mr. Speaker:

Your Committee having under consideration H. B. 125, the same being a substitute for the Committee substitute, heretofore adopted, the Appropriations Act, reports progress as follows:

The Committee recommends the adoption of the following sections, to wit: In section 1, the consideration of which not having been completed at its last sitting, the Committee declined to recommend the adoption of a proviso offered by Mr. Moss to be inserted at the end of subsection 9, by the following roll call vote:

Those voting in the affirmative are: Messrs. Bender, Bowie, Braddy, Cox, Dees, Galloway, Gatling, Greene, Ingram, Lumpkin, Makepeace, Monroe, Moss, Moye, McEachern, Phillips, Randolph, Ruark, Scarborough, Taylor of Currituck, Tompkins, Warlick and Williams—23.

Those voting in the negative are: Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Boyd, Brawley, Brock, Brown, Cherry, Coffey, Crews, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Flanagan, Froneberger, Gardner, Garibaldi, Garrou, Gilliam, Graham, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, James, Johnson of Chatham, Lee, Martin, Massenburg, Mebane, Mizell, Moore, Murphy, Neal, O'Berry, Pope, Ray, Rouse, Sigmon, Spruill, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, White, Wilson, Womble, Woodall and Woodfin—70.

The Committee recommends the adoption of subsection 10.

The Committee recommends the adoption of the whole of section 1, as amended.

The Committee recommends the adoption of section 2.

The Committee recommends the adoption of subsection 12 of section 3, as amended in items 3, 4, 6, and paragraph following item 6 as amended; the adoption of subsection 13 and section 3 as a whole as amended.

The Committee recommends the adoption of sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 to 24, inclusive.

The Committee recommends the adoption of the bill as a whole, as amended.

Respectfully,

MR. MURPHY, Chairman.

The report of the Committee of the Whole is adopted by the House, and the substitute remains on the Calendar for its second reading.

On motion of Mr. Turner of Guilford, the House adjourns until 11 o'clock tomorrow.

# SIXTY-SEVENTH DAY

House of Representatives, Wednesday, March 22, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. W. Gilliam of Alamance County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that The Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 1008, A bill to be entitled An act to amend the charter of the Town of Granite Falls.

And.

H. B. 1020, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County in three classes.

And,

H. B. 1025, A bill to be entitled An act to authorize the collection of certain water rates in the Town of Brevard.

And.

H. B. 988, A bill to be entitled An act to authorize the creation of the office of Tax Collector for the County of Jones.

And.

H. B. 990, A bill to be entitled An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard.

And,

H. B. 1007, A bill to be entitled An act extending the licensing power of the Governing Board of the City of Lenoir.

With favorable reports.

By Mr. Murphy, for the Committee on Constitutional Amendments:

H. B. 121, A bill to be entitled An act to submit a proposed amendment to section 3 of article 5 of the Constitution of North Carolina, removing limitation of tax on incomes.

And,

H. B. 703, A bill to be entitled An act to amend the Constitution, article 2, section 4, relating to districting the State for Senators.

And.

H. B. 122, A bill to be entitled An act to amend section 2 of article 10 of the Constitution of North Carolina, relating to homestead exemption from taxation.

And,

H. B. 124, A bill to be entitled An act to amend the Constitution of North Carolina, article 5, section 6, exemptions, by striking out the word "three"

in line five and inserting in its place the word "five," and by striking out the period after the word "property" in line eight, and insert "and a homestead, dwellings, and buildings therewith or other property not exceeding one thousand dollars."

With unfavorable reports.

And

H. B. 879, A bill to be entitled An act to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment thereof as submitted by the Seventy-second Congress.

With a favorable report.

#### ENGROSSED BILLS

Mr. Ray, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 837, A bill to be entitled An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisements.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Gilliam: H. B. 1037, A bill to be entitled An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the City of Burlington.

On motion of Mr. Gilliam, the bill is placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1038, A bill to be entitled An act to place the names of Mrs. H. J. Hinson, widow of H. J. Hinson; Mrs. H. C. Moffitt, widow of H. C. Moffitt, and Mrs. Penny L. Thompson, widow of W. B. Thompson, on the Confederate Pension Roll.

Referred to the Committee on Pensions.

By Mr. Moss: H. B. 1039, A bill to be entitled An act for the protection of Mount Pleasant Church and Samaria Church in Ferrell's Township, Nash County, and Macedonia Church, in Cooper's Township, Nash County.

On motion of Mr. Moss, the bill is placed on the Calendar.

By Mr. Haynes: H. B. 1040, A bill to be entitled An act validating the purchase by the Commissioners of the Town of Elkin of certain real estate to be used for street and other purposes.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 1041, A bill to be entitled An act to exempt church property used exclusively for religious services and pastors' residences from the payment of street paving assessments and sidewalk assessments in the Town of Elkin.

Referred to the Committee on Finance.

By Mr. Howell: H. B. 1042, A bill to be entitled An act to extend the jurisdiction of the Mayor of the Town of Hazelwood.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Tompkins, by request: H. B. 1043, A bill to be entitled An act to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a Justice of Peace in Jackson County.

Referred to the Committee on Judiciary No. 2.

By Mr. Braddy: H. B. 1044, A bill to be entitled An act to place the name of Mrs. Rosa Gause Memory, widow of Eli Memory, on the Confederate Pension Roll.

Referred to the Committee on Pensions.

By Mr. Neal: H. B. 1045, A bill to be entitled An act to make the possession of machine guns and other like weapons unlawful.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Scarborough: H. B. 1047, A bill to be entitled An act to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.

On motion of Mr. Scarborough, the bill is placed on the Calendar. And,

H. B. 1048, A bill to be entitled An act to fix the salaries of the Judge and Prosecuting Attorney of the Recorder's Court for Richmond County.

On motion of Mr. Scarborough, the bill is placed on the Calendar.

## MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 69, A bill to be entitled An act to abolish the Absentee Ballot Law in all primary elections in North Carolina.

Referred to the Committee on Election Laws.

# SPECIAL MESSAGE

SENATE CHAMBER, March 22, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in House amendments to S. B. 180, title "To allow the counties, municipalities and other governing agencies to refund tax sales certificates," and ask for a conference thereon. The President appoints as conferees on the part of the Senate: Senators Clement and Dunagan.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

Pursuant to above information, the Speaker appoints as conferees on the part of the House: Messrs. Wilson, Groves and Graham, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for: H. B. 839, A bill to be entitled An act to prohibit the use of long-haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

An amendment offered by Mr. Barden is lost.

An amendment offered by Mr. Warlick is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the table.

H. B. 1032, A bill to be entitled An act to allow certain discounts in the payment of delinquent taxes in the Town of Beaufort.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1000, A bill to be entitled An act to provide for the appointment of a county superintendent of weights and measures in certain counties.

On motion of Mr. Boswell, the bill is taken from the Committee on Agriculture, and placed on the Calendar.

On motion of Mr. Boswell, the bill is laid on the table.

H. B. 1005, A bill to be entitled An act to extend the time for the payment of street assessments in the Town of Ayden, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1006, A bill to be entitled An act relating to licensing shows outside incorporated towns in Caldwell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1030, A bill to be entitled An act to authorize the issuance of scrip by Tyrrell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 389, A bill to be entitled An act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1011, A bill to be entitled An act to authorize the Town of Sanford to refund certain outstanding bonds.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern,

Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin-96. Those voting in the negative are: None.

H. B. 1012, A bill to be entitled An act to describe and define the limits and boundaries of the City of Saluda in Polk County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin-96. Those voting in the negative are: None.

H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session 1931, relating to five cents special tax levy in Alexander County.

As amended, the bill passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin-96.

Those voting in the negative are: None.

H. B. 964, A bill to be entitled An act providing for a special levy for special purposes by counties.

Passes its second reading by the following vote, and takes its place on

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin-96. Those voting in the negative are: None.

H. B. 1024, A bill to be entitled An act to amend Local Government Law relating to issuing and selling bonds for construction of courthouse in Alleghany County.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin-96.

Those voting in the negative are: None.

H. B. 1033, A bill to be entitled An act relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moss, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—96. Those voting in the negative are: None.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 96, An act to amend chapter 2, Public Laws of 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of the Consolidated Statutes and all acts amendatory thereof and additional thereto; and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as State Highway and Public Works Commission.

H. B. 938, An act to reduce the salaries of certain officers of Chowan County.

H. B. 499, An act to amend and rewrite section 6108 of the Consolidated Statutes, relating to the Enrollment of Acts of the General Assembly, and the employment of necessary assistance for that purpose.

H. B. 555, An act to amend section 48 of chapter 277 of the Public Laws of North Carolina, Session 1919, relating to civil jurisdiction of Recorders' Courts.

H. B. 800, An act regulating the fee for capturing stills in Sampson County.

H. B. 855, An act to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County.

H. B. 860, An act authorizing the Town of Morehead City to establish a Port Commission for the said town, to prescribe the duties of the said Commission and to authorize the said town to coöperate with the said Commission in carrying out the purposes and intents of this act.

H. B. 889, An act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the City Commissioners, including the Mayor.

H. B. 917, An act repealing and reënacting H. B. 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County."

H. B. 925, An act to repeal chapter 188, Public-Local Laws, 1929, and to amend chapter 521, Public-Local Laws, 1921, relating to fees of Justices of the Peace in Pitt County.

H. R. 998, A joint resolution to pay the expenses of the Joint Subcommittee visiting the Western Carolina Teachers' College, the Appalachian State Teachers' College and the East Carolina Teachers' College.

H. B. 684, An act to authorize the Commissioners of Haywood County to appoint a Tax Supervisor and to prescribe his duties and fix his salary.

On motion of Mr. Hamilton, H. B. 1010, A bill to be entitled An act to authorize the State Highway Commission to provide for tolls over and to

give appropriate highway number to the proposed Cape Lookout bridge and highway, is taken from the Committee on Roads, and placed on the Calendar,

On motion of Mr. Randolph, the House takes a recess until eight o'clock tonight.

# NIGHT SESSION

House of Representatives, Wednesday Night, March 22, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

# CONFERENCE COMMITTEE REPORT

Report of the House Conference Committee on S. B. 127, relative to the validation of certain sales of land for taxes:

Mr. Speaker:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to S. B. 127, validating certain sales of land for taxes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

- 1. That the House recede from the inclusion of Durham County in the House amendment, and that Durham County be stricken from the provisions thereof.
- 2. That the House do not recede from its amendment exempting Meck-lenburg County from the provisions of the aforesaid bill.

L. E. Griffin,
John Sprunt Hill,
Conferees on part of the Senate.

D. E. SCARBOROUGH, H. E. OLIVE,

THOMAS O'BERRY,

Conferees on part of the House.

The report is adopted, and the Senate is so notified, to the end that if a similar report is adopted by that body, the bill may be ordered Enrolled.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton of Alleghany, for the Committee on Finance:

H. B. 632, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Forest City to exempt all church property in the Town of Forest City from street and sidewalk paving assessments now levied and assessed against same.

And,

H. B. 1017, A bill to be entitled An Act to authorize the City of Saluda to accept past-due street improvement bonds and coupons as payment on street assessments.

And,

H. B. 1041, A bill to be entitled An act to exempt church property used exclusively for religious services and pastors' residences from the payment of street paying assessments and sidewalk assessments in the Town of Elkin.

And,

S. B. 381, A bill to be entitled An act to provide for funding and refunding of debts of local units of government other than counties, cities and towns. And,

S. B. 382, A bill to be entitled An act to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

And.

S. B. 383, A bill to be entitled An act to allow counties, municipalities, and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

With favorable reports.

By Mr. Graham, for the Committee on Education:

S. B. 361, A bill to be entitled An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State-supported institutions of higher learning in North Carolina.

And,

S. B. 375, A bill to be entitled An act to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

With favorable reports.

And.

H. B. 736, A bill to be entitled An act to promote further efficiency in the public schools.

With unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Flanagan, for the Committee on Banks and Banking:

H. B. 892, A bill to be entitled An act to regulate the business of making small loans.

And,

H. B. 920, A bill to be entitled An act to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations.

With favorable reports.

By Mr. Johnson of Chatham, for the Committee on Federal Relations:

H. R. 923, Joint resolution endorsing the proposal of President Roosevelt to develop a vast National Laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

With a favorable report.

By Mr. Moss, for the Committee on Courts and Judicial Districts:

H. B. 241, A bill to be entitled An act to amend section 1498 of the Consolidated Statutes, relating to removal of cases in courts of Justices of Peace. And,

H. B. 448, A bill to be entitled An act to amend section 1608 of Volume III, Consolidated Statutes, bringing the County of Wilkes within the provisions of the General Recorder's Court acts.

And,

H. B. 1014, A bill to be entitled An act to amend chapter 207, Public Laws, 1927, amending section 1443 of the Consolidated Statutes, relating to terms of Court for Rutherford and Polk Counties.

And,

H. B. 1031, A bill to be entitled An act to amend chapters 84 and 424, Public Laws, 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander counties.

With favorable reports.

And,

H. B. 242, A bill to be entitled An act to amend section 1608 (nn) of the Consolidated Statutes, relating to removal of cases in Courts of Justices of Peace.

With unfavorable report as to bill; favorable as to the Committee substitute.

# ENGROSSED BILLS

Mr. Sullivan, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 839, A bill to be entitled An act to prohibit the use of long-haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Dr. Douglass, by request: H. B. 1049, A bill to be entitled An act to amend chapter 27, subchapter 4, articles 18, 21 and 23 of the Consolidated Statutes, and amendments thereto, relating to Municipal Recorders' Courts, to extend the criminal and civil jurisdiction of the Recorder's Court of Wendell, to include all of Mark's Creek Township and St. Matthew's Township in Wake County, and to provide for the election of the Recorder of said Court.

Referred to the Committee on Courts and Judicial Districts. And,

H. B. 1050, A bill to be entitled An act to regulate the service of process and subpoenas by constables of Wake County.

Referred to the Committee on Judiciary No. 2.

By Mr. Womble: H. B. 1051, A bill to be entitled An act to regulate peddling in the City of Raleigh.

On motion of Mr. Womble, the bill is placed on the Calendar.

And,

H. B. 1052, A bill to be entitled An act to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution.

Referred to the Committee on Judiciary No. 2.

By Messrs. Graham and Thompson of Robeson: H. B. 1053, A bill to be entitled An act to constitute the Commissioners of Robeson County Drainage District No. 2 trustees for the funds belonging to said District, and giving said trustees certain powers with reference thereto.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Aycock of Wayne, by request: H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

Referred to the Committee on Agriculture.

By Mr. Ingram: H. B. 1055, A bill to be entitled An act to prevent the killing, selling and shipping calves for yeal in Macon County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

# MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 359, A bill to be entitled An act to amend chapter 116, Public Laws of 1919, relative to damages done by dogs as to Pitt County.

Referred to the Committee on Propositions and Grievances.

S. B. 397, A bill to be entitled An act to allow the Tax Collector of the Town of Star to collect back taxes.

Referred to the Committee on Finance.

S. B. 327, A bill to be entitled An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

Referred to the Committee on Agriculture.

### SPECIAL MESSAGE

March 22, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate has adopted the conferees' report on S. B. 127, "To validate certain sales of land for taxes and certificates issued in pursuance thereof," and awaits a message from your Honorable Body with information as to your action.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

The House having adopted a similar conferees' report, the Senate is so notified, to the end that they may order the bill Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 988, A bill to be entitled An act to authorize the creation of Tax Collector for the County of Jones.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 990, A bill to be entitled An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1007, A bill to be entitled An act extending the licensing power of the governing board of the City of Lenoir.

· Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1008, A bill to be entitled An act to amend the charter of the Town of Granite Falls.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1020, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County in three classes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

## UNFINISHED BUSINESS

The Speaker lays before the House, for its consideration, substitute for Committee substitute for H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

The question recurs upon the passage of the substitute for the Committee substitute on its second reading.

Messrs. Newman, Barden and Turner of Guilford offer a substitute for the substitute for the Committee substitute, which is the second substitute for the Committee substitute.

The question now recurs upon the adoption of the second substitute for the Committee substitute.

Messrs. Barden and Turner of Guilford, introducers of the second Committee substitute, ask permission to withdraw said substitute, which is permitted.

The question now recurs upon the passage of the substitute for the Committee substitute on its second reading.

On motion of Mr. Doughton of Alleghany, further consideration of the substitute is deferred until tomorrow's session.

On motion of Mr. Doughton of Alleghany, the House adjourns until eleven o'clock tomorrow.

# SIXTY-EIGHTH DAY

House of Representatives, Thursday, March 23, 1933.

The House meet pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Leave of absence is granted to Mr. Watson of Nash County, indefinitely, on account of sickness.

The Speaker appoints Levin Butler Culpepper of Pasquotank County an Honorary Page of the House.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Flanagan, for the Committee on Banks and Banking:

H. B. 717, A bill to be entitled An act to amend section 220 (r) of Volume III of the Consolidated Statutes relating to the establishment of branch banks. And,

H. B. 815, A bill to be entitled An act to safeguard bank deposits; repeal the double liability of stockholders in banks; and to give additional regulatory authority to the Commissioner of Banks; and for other purposes.

And.

H. B. 886, A bill to be entitled An act providing that all stockholders of closed banks in Clay County be required to pay only one stock assessment.

H. B. 176, A bill to be entitled An act to amend the Negotiable Instruments Law relating to the liability of drawers of checks.

And

H. B. 214, A bill to be entitled An act to amend section 217 (a) of Volume III of the Consolidated Statutes as amended by section 2 of chapter 47, Public Laws 1927, relating to the amount of capital stock of banks.

With unfavorable reports.

And,

H. B. 381, A bill to be entitled An act supplemental to House Bill 266, the same being "A bill to be entitled An act to clarify the Statutes providing that stockholders of closed banks shall be required to pay only one stock assessment," ratified January 30, 1933, so as to include Cherokee and Clay counties.

With an unfavorable report as to bill and Committee substitute.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 741, A bill to be entitled An act to amend sections 207 and 210 of the Consolidated Statutes relating to disbarment of attorneys at law.

And,

H. B. 907, A bill to be entitled An act to safeguard public records in North Carolina.

And,

H. B. 617, A bill to be entitled An act to amend chapter 72 of Public Laws of 1931, relating to the granting of divorces in certain cases.

With unfavorable reports.

And,

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

With a favorable report, as amended.

And,

H. B. 1045, A bill to be entitled An act to make the possession of machine guns and other like weapons unlawful.

And.

S. B. 377, A bill to be entitled An act to provide for special judges in North Carolina.

With favorable reports.

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 972, A bill to be entitled An act to provide a calendar in the Criminal Courts of Columbus County.

And,

S. B. 334, A bill to be entitled An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

S. B. 272, A bill to be entitled An act to fix and determine the October Term of Surry Superior Court.

And.

H. B. 958, A bill to be entitled An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorders' Courts in Henderson County.

And.

H. B. 940, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties—this bill relating only to the terms of court in Stanly County.

With favorable reports.

And.

H. B. 933, A bill to be entitled An act to repeal chapter 285, Public-Local Laws 1931, establishing a Recorder's Court for Madison County.

With an unfavorable report.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. R. 1056, Joint resolution instructing the Secretary of State to have printed one thousand (1,000) copies of House Bill No. 158 and to instruct the Local Government Commission to distribute same to

the Chairmen of the Board of County Commissioners of the several counties of the State.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Dr. Douglass: H. B. 1057, A bill to be entitled An act to protect the civil rights of the citizens of the State of North Carolina.

Referred to the Committee on Judiciary No. 1.

By Mr. Mizzell: H. B. 1058, A bill to be entitled An act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for the payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States—by payment of interest to the Department of North Carolina United Spanish War Veterans.

Referred to the Committee on Pensions.

By Mr. Arndt, by request: H. B. 1059, A bill to be entitled An act providing for the working of prisoners on the streets of the Town of Maiden, in Catawba County, North Carolina.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Flanagan: H. B. 1060, A bill to be entitled An act to amend chapter 115, Private Laws of 1899, relating to the charter of the Town of Greenville.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Sprinkle: H. B. 1061, A bill to be entitled An act to repeal chapter 15 of Private Laws of 1927, and chapter 75 of Private Laws of 1929, relating to the office of Chief of Police of Marshall, Madison County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Massenburg: H. B. 1062, A bill to be entitled An act to amend section 1336 of Consolidated Statutes in regard to the maintenance of aged and infirm.

Referred to the Committee on Public Welfare.

And.

H. B. 1063, A bill to be entitled An act to validate the foreclosure of tax certificates in Polk County.

Referred to the Committee on Finance.

And,

H. B. 1054, A bill to be entitled An act to provide for the collection of delinquent taxes on real estate in Polk County.

Referred to the Committee on Finance.

By Mr. Ingram: H. B. 1065, A bill to be entitled An act to regulate fox hunting in Macon County.

Referred to the Committee on Game.

And,

H. B. 1066, A bill to be entitled An act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Pope and Taylor of Halifax: H. B. 1067, A bill to be entitled An act to regulate the drawing of grand jurors in Halifax County.

On motion of Mr. Pope, the bill is placed on the Calendar.

By Mr. Monroe: H. B. 1068, A bill to be entitled An act to create the office of Auditor of Montgomery County and to fix the compensation and duties thereof.

Referred to the Committee on Counties, Cities and Towns.

And.

H. B. 1069, A bill to be entitled An act fixing the compensation of the Clerk of Court, Register of Deeds and Sheriff of Montgomery County and the duties thereof.

Referred to the Committee on Salaries and Fees.

By Mr. Aycock of Wake: H. B. 1070, A bill to be entitled An act to appoint trustees for the Sir Walter Raleigh Memorial Fund.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER, March 23, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Blackstock, Hartsell and Kirkpatrick to act as conferees with your appointees to consider the differences arising on H. B. No. 221, title, "To provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 448, A bill to be entitled An act to amend section 1608 of Volume III of the Consolidated Statutes, bringing the County of Wilkes within the provisions of the General Recorder's Court acts.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 632, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Forest City to exempt all church property in the Town

of Forest City from street and sidewalk paving assessments now levied and assessed against same.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1009, A bill to be entitled An act to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1010, A bill to be entitled An act to authorize the State Highway Commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout bridge and highway.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1017, A bill to be entitled An act to authorize the City of Saluda to accept past-due street improvement bonds and coupons as payment on street assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1041, A bill to be entitled An act to exempt church property used exclusively for religious services and pastors' residences from the payment of street paying assessments and sidewalk assessments in the Town of Elkin.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1039, A bill to be entitled An act for the protection of Mount Pleasant Church and Samaria Church in Ferrell's Township, Nash County, and Macedonia Church, in Cooper's Township, Nash County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1025, A bill to be entitled An act to authorize the collection of certain water rates in the Town of Brevard.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1047, A bill to be entitled An act to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1048, A bill to be entitled An act to fix the salaries of the Judge and Prosecuting Attorney of the Recorder's court for Richmond County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 375, A bill to be entitled An act to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 892, A bill to be entitled An act to regulate the business of making small loans.

On motion of Mr. Flanagan, the bill is recommitted to the Committee on Banks and Banking.

S. B. 105, A bill to be entitled An act to regulate the practice of cosmetic art in the State of North Carolina.

A committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

H. B. 1024, A bill to be entitled An act to amend Local Government Law relating to issuing and selling bonds for construction of courthouse in Alleghany County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session 1931, relating to five cents special tax levy in Alexander County.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 964, A bill to be entitled An act providing for a special levy for special purposes by counties.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 1033, A bill to be entitled An act relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 1037, A bill to be entitled An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the City of Burlington.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass. Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett.

Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 1051, A bill to be entitled An act to regulate peddling in the City of Raleigh.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Beasley, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

## UNFINISHED BUSINESS

The Speaker lays before the House for its further consideration, substitute for the Committee substitute for H. B. 125, a bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies and for other purposes, and to reduce salaries of officers, employees and agents.

The question recurs upon the passage of substitute for the committee substitute on its second reading.

An amendment offered by Messrs. Gilliam, Thompson of Columbus, Doughton of Alleghany, O'Berry, Hamilton and Bowie is adopted.

An amendment offered by Mr. Murphy is lost.

An amendment offered by Mr. English is lost.

An amendment offered by Mr. Hamilton is adopted.

An amendment offered by Mr. Edwards is adopted.

An amendment offered by Mr. Scarborough is lost.

An amendment offered by Mr. Lumpkin is lost.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

An amendment offered by Mr. Massenburg is lost.

An amendment offered by Mr. O'Berry is adopted.

An amendment offered by Mr. Aycock of Wake is adopted.

An amendment offered by Mr. Sullivan and others is adopted.

An amendment offered by Mr. Moore and others is adopted.

An amendment offered by Mr. Bowie is lost.

An amendment offered by Mr. Pope is lost.

The question now recurs upon the passage of the substitute, as amended, on its several readings,

As amended, the substitute to the Committee substitute passes its second and third readings and is ordered Engrossed and sent to the Senate.

The original bill and the Committee substitute are laid on the table.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 255, A joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

S. B. 389, An act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

H. B. 362, An act relating to rate of interest of monthly balances of State funds, and of funds in the hands of the Commissioner of Banks.

H. B. 619, An act to provide for an election on what shall constitute a lawful fence in Graham County.

H. B. 751, An act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees.

H. B. 783, An act to provide for the redemption of real estate purchased by Hertford, Hyde, or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes.

(Applicable also to Gates, Pasquotank and Chowan counties.)

H. B. 801, An act authorizing partial payments of taxes in Sampson County.

H. B. 810, An act to exempt Brunswick County from paying for live stock killed by dogs.

H. B. 857, An act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County.

H. B. 862, An act fixing the salary of the court stenographer of Catawba County.

H. B. 904, An act validating sale of lands October 5, 1931, by tax collector, City of Southport, for unpaid 1930 taxes.

H. B. 922, An act reducing the fees of certain officers of Gates County.

H. B. 984, An act concerning the sale of land and other property for taxes in Transylvania County.

H. B. 996, An act to create a tax commission for Cherokee County.

H. B. 1023, An act supplemental to and amending Senate bill 313, which was ratified on the 20th March, 1933, and entitled "An act relating to the fees for registering Federal crop liens and Federal mortgages."

H. B. 1034, An act relating to the quadrennial assessment of property for taxation in Macon County.

H. B. 839, An act to prohibit the use of long-haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

On motion of Mr. English, H. B. 950, a bill to be entitled An act to amend chapter 120, section 60, of the Public Laws of 1929, North Carolina Ann. (Michie 1931), section 8081 (ppp), relative to the review by the Superior Court of the award of the Industrial Commission, is taken from the Committee on Judiciary No. 2, and recommitted to the Committee on Insurance.

On motion of Mr. English, H. B. 951, a bill to be entitled An act to amend chapter 120, section 54 (a) of the Public Laws of 1929, North Carolina Ann. Code (Michie 1931), section 8081 (jjj), relative to procedure before the Industrial Commission, is taken from the Committee on Judiciary No. 2 and recommitted to the Committee on Insurance.

On motion of Mr. English, H. B. 952, a bill to be entitled An act to amend chapter 120, section 18, of the Public Laws of 1929, North Carolina Ann. Code (Michie 1931), section 8081 (y), relative to the compromise and settlement of doubtful cases subject to the approval of Industrial Commission, is taken from the Committee on Judiciary No. 2 and recommitted to the Committee on Insurance.

On motion of Mr. Everett, the House takes a recess until tonight at 8:00 o'clock.

## NIGHT SESSION

House of Representatives. THURSDAY NIGHT, March 23, 1933.

Pursuant to its recess, the House meets and resumes consideration of business, with Mr. Speaker Harris presiding.

The courtesies of the floor are extended to Mr. John W. Holmes of Pitt County, former Member of the House.

# SENATE MESSAGES

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 428, A bill to be entitled An act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes.

Referred to the Committee on Judiciary No. 1.

S. B. 429, A bill to be entitled An act for the relief of J. F. Martin, former Sheriff of Anson County.

Referred to the Committee on Judiciary No. 1.

## SPECIAL MESSAGE

SENATE CHAMBER, March 23, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives requesting the return of S. B. 414, title, "To fix the compensation of the Sheriff of Harnett County and to clarify the law with respect thereto," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Principal Clerk.

On motion of Mr. Scarborough, the bill is returned to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 940, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties—this bill relating only to the terms of court in Stanly County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 958, A bill to be entitled An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorders' Courts in Henderson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 972, A bill to be entitled An act to provide for a calendar in the criminal courts of Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1067, A bill to be entitled An act to regulate the drawing of grand jurors in Halifax County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 272, A bill to be entitled An act to fix and determine the October Term of Surry Superior Court.

Passes its second and third readings, and is ordered Enrolled.

S. B. 334, A bill to be entitled An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

Passes its second and third readings, and is ordered Enrolled.

H. B. 241, A bill to be entitled An act to amend section 1498 of the Consolidated Statutes relating to removal of cases in courts of Justices of the Peace.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for: H. B. 242, A bill to be entitled An act to amend section 1608 (nn) of the Consolidated Statutes, relating to removal of cases in courts of Justices of Peace.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Second Committee substitute for: H. B. 263, A bill to be entitled An act amending chapter 148, Public Laws of 1927, as amended by chapters 235, 248 and 337, Public Laws of 1931, and being the Uniform Act regulating the operation of vehicles on highways, so as to regulate and limit the use of the public highways by motor vehicles, semi-trailers and trailers, and to repeal all laws inconsistent with this act.

Second Committee substitute is adopted.

An amendment offered by Mr. Young is adopted.

Three amendments offered by Mr. Taylor of Mecklenburg are lost.

An amendment offered by Mr. Smith is adopted.

An amendment offered by Mr. Tatem is lost.

An amendment offered by Mr. Tompkins is adopted.

The question now recurs upon the passage of the bill, as amended, on its second reading. Upon this Mr. Gardner calls for the "ayes" and "noes." The call is sustained and the bill, as amended, fails to pass its second reading by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Bean, Bender, Braddy, Cox, Crews, Douglass, Eagles, Edwards, English, Everett, Flanagan, Grady, Grant, Groves, Hamilton, James, Martin, Mizzell, Moss, Moye, Murphy, Neal, Olive, Phillips, Pope, Rouse, Ruark, Scarborough, Sprinkle, Thomas, Thompson of Beaufort, Thompson of Robeson, Turner of Iredell, Vann, Warlick, White and Young—38.

Those voting in the negative are: Messrs. Allen, Barden, Beasley, Binford, Bowie, Brock, Cameron, Cherry, Cover, Cowles, Culpepper, Davis, Dees, Doughton of Alleghany, Dowtin of Warren, Falkner, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greene, Griffin, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Lee, Lumpkin, Mebane, Monroe, Moore, Randolph, Ray, Smith, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Tompkins, Williams, Wilson, Womble and Woodfin—48.

The following pairs are announced:

Mr. Aycock of Wayne with Mr. Aycock of Wake—were Mr. Aycock of Wake present he would vote "aye," Mr. Aycock of Wayne would vote "no."

Mr. Hutchins with Mr. Boyd—were Mr. Hutchins present he would vote "aye," Mr. Boyd would vote "no."

Mr. Brown with Mr. McLauchlin—were Mr. McLauchlin present he would vote "aye," Mr. Brown would vote "no."

Mr. Coffey with Mr. Boswell—were Mr. Boswell present he would vote "aye," Mr. Coffey would vote "no."

Mr. Graham with Mr. Etheridge—were Mr. Etheridge present he would vote "no," Mr. Graham would vote "aye."

Mr. Johnson of Pender with Mr. Morphew—were Mr. Morphew present he would vote "no," Mr. Johnson of Pender would vote "aye."

Mr. McEachern with Mr. Makepeace—were Mr. Makepeace present he would vote "aye," Mr. McEachern would vote "no."

Mr. O'Berry with Mr. Gattis—were Mr. Gattis present he would vote "no," Mr. O'Berry would vote "aye."

Mr. Taylor of Mecklenburg with Mr. Watson—were Mr. Watson present he would vote "aye," Mr. Taylor of Mecklenburg would vote "no."

Mr. Thompson of Columbus with Mr. Ewing—were Mr. Ewing present he would vote "aye," Mr. Thompson of Columbus would vote "no."

Mr. Womble moves that the vote by which the bill failed to pass its second reading be reconsidered and that motion be laid on the table.

It is so ordered

On motion of Mr. Barden, the House adourns until 11:00 o'clock tomorrow.

# SIXTY-NINTH DAY

House of Representatives, Friday, March 24, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Father Eugene P. Carroll, of the Sacred Heart Cathedral Church of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. H. B. Leavitt of Buncombe County, and Mr. J. Clyde Stancill of Mecklenburg County, former Members of the House.

### CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

Report of Joint Conferees of the Senate and House on Senate bill 180, being An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates: it is recommended,

- 1st. That the Senate accept House amendment No. 1.
- 2d. That the Senate accept House amendment No. 2.
- 3d. That the Senate accept House amendment No. 3.
- 4th. That the House recede from its amendment No. 4.
- 5th. That the House recede from its amendment No. 5.
- 6th. That the Senate accept House amendment No. 6.
- 7th. That the Senate accept House amendment No. 7.
- 8th. That the Senate accept House amendment No. 8.
- 9th. That the House recede from its amendment No. 9 and that the following be adopted as a Joint Conferees amendment in lieu thereof to wit: Provided that this act shall not be mandatory in the following counties or municipalities therein, but within the discretion of the governing bodies of the said counties or municipalities therein, to wit: Alleghany, Gaston, Polk, Granville, Catawba, Lincoln, Wilkes, Guilford, Surry, Nash, Moore, Richmond, Camden, Durham, Rockingham and New Hanover.
  - 10th. That the House recede from its amendment No. 10.
  - 11th. That the House recede from its amendment No. 11.
  - 12th. That the House recede from its amendment No. 12.
  - 13th. That the House recede from its amendment No. 13.

# Respectfully submitted,

HAYDEN CLEMENT,
STOVER P. DUNAGAN,
Conferees on part of the Senate.

ROBERT T. WILSON,
ERNEST GRAHAM,
J. A. GROVES,
Conferees on part of the House.

The report is adopted, and the Senate is so notified, to the end that when they adopt a similar report they may order the bill Enrolled.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Thomas, for the Committee on Pensions.

H. B. 399, A bill to be entitled An act to pay the burial expenses of William H. Aiken, a Confederate Veteran of Transylvania County.

And,

H. B. 827, A bill to be entitled An act for the relief of Fannie Rayle.

With unfavorable reports.

And.

H. B. 994, A bill to be entitled An act to amend section 5168 (d), Volume III, of the Consolidated Statutes relative to County Boards of Pensions.

With a favorable report as amended.

By Mr. Bowie, for the Committee on Election Laws.

S. B. 340, A bill to be entitled An act to amend section 2650 of the Consolidated Statutes of North Carolina and to provide that municipal elections shall be held on Tuesday after the First Monday in June.

And,

H. B. 633, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Davie County from the Absentee Voters Law.

And,

H. B. 795, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Wilkes County from the Absentee Voters Law.

And,

H. B. 851, A bill to be entitled An act to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the Town of Aulander.

And

S. B. 69, A bill to be entitled An act to abolish the Absentee Ballot Law in all primary elections in North Carolina.

With favorable reports.

By Mr. Neal, for the Committee on Counties, Cities and Towns.

H. B. 1036, A bill to be entitled An act to amend chapter 35 of the Private Laws of 1920, relative to the town limits of the Town of Hayesville.

With an unfavorable report.

And,

H. B. 87, A bill to be entitled An act to provide for the payment of taxes in monthly installments in Wake County.

And,

S. B. 357, A bill to be entitled An act to permit the annexation of one county by another by popular vote.

And,

S. B. 358, A bill to be entitled An act to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

And,

H. B. 1042, A bill to be entitled An act to extend the jurisdiction of the Mayor of the Town of Hazelwood.

And.

H. B. 1060, A bill to be entitled An act to amend chapter 115, Private Laws of 1899, relating to the charter of the Town of Greenville.

And

H. B. 1068, A bill to be entitled An act to create the office of Auditor of Montgomery County and to fix the compensation and duties thereof.

S. B. 356, A bill to be entitled An act to permit the consolidation of counties by popular vote therein.

With favorable reports.

And.

H. B. 1040, A bill to be entitled An act validating the purchase by the Commissioners of the Town of Elkin, of certain real estate to be used for street and other purposes.

With a favorable report, and on motion of Mr. Haynes, the bill is placed on its immediate passage.

Passes its second to third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Johnson of Pender, for the Committee on Insurance.

H. B. 950, A bill to be entitled An act to amend chapter 120, section 60, of the Public Laws of 1929, N. C. Ann. Code (Michie 1931) section 8081 (PPP), relative to the review by the Superior Court of the award of the Industrial Commission.

And,

H. B. 951, A bill to be entitled An act to amend chapter 120, section (54 a), of the Public Laws of 1929 (N. C.), Ann. Code (Michie 1931), section 8081 (JJJ), relative to procedure before the Industrial Commission.

And,

H. B. 952, A bill to be entitled An act to amend chapter 120, section 18, of the Public Laws of 1929 (N. C.), Ann. Code (Michie 1931), section 8081 (Y), relative to the compromise and settlement of doubtful cases subject to the approval of Industrial Commission.

And,

S. B. 303, A bill to be entitled An act to amend section 5178 of the Consolidated Statutes relative to penalty for nonpayment of dues in Building and Loan Associations.

With unfavorable reports.

By Mr. Hoyle, for the Committee on Judiciary No. 2.

H. B. 896, A bill to be entitled An act to provide for jury trials in the General County Court of Bertie County, and for regulating appeals in criminal causes from said court, and provided for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

And,

H. B. 1015, A bill to be entitled An act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal.

And,

H. B. 1043, A bill to be entitled An act to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a Justice of the Peace in Jackson County.

And,

H. B. 1013, A bill to be entitled An act to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

And.

H. B. 1052, A bill to be entitled An act to amend section 1526 of Consolidated Statutes relating to liability of sureties on bonds to stay execution. And,

S. B. 408, A bill to be entitled An act authorizing the Commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the Sinking Fund of said county.

With favorable reports.

And,

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

With a favorable report as amended.

And.

H. B. 849, A bill to be entitled An act to amend chapter 149, Public Laws of 1927, the same being entitled "An act to provide laws governing the sale of stocks, bonds and other securities in the State of North Carolina and repeal chapter 190, Public Laws of 1925."

And.

S. B. 368, A bill to be entitled An act to authorize the appointment of deputies and clerks, office force and assistants for the Sheriff of the County of Wake and to provide for their compensation.

With unfavorable reports.

By Mr. Graham, for the Committee on Education.

H. B. 1003, A bill to be entitled An act to amend section 2, chapter 165, Private Laws of 1903, relating to the election of the members of the Board of Trustees of the Mebane School District.

With a favorable report.

And.

S. B. 415, A bill to be entitled An act relating to the appointment of members of the Board of Education for Pender County.

With a favorable report as amended.

By Mr. Flanagan, for the Committee on Banks and Banking.

H. B. 918, A bill to be entitled An act to amend section 220 (e), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.

With a favorable report as amended.

#### ENGROSSED BILLS

Mr. Sullivan, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate:

It is so ordered.

Substitute for Committee substitute for: H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

H. B. 777, A bill to be entitled An act to amend chapter 441, Public Laws of North Carolina, Session 1931, relating to five cents special tax levy in Alexander County. (Applicable also to Henderson County.)

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Graham: H. B. 1071, A bill to be entitled An act to authorize the governing body of the Town of Red Springs to extend the time for payment of street and sidewalk assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. White: H. B. 1072, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes as amended by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Randolph: H. B. 1073, A bill to be entitled An act relating to bonds of townships, road districts and township road districts.

On motion of Mr. Randolph, the bill is placed on the Calendar.

By Mr. Hamilton: H. B. 1074, A bill to be entitled An act to repeal chapter 206, Public-Local Laws of 1931, relating to the stock law in Cedar Island Township, and to reënact a stock law for a portion of the said township.

On motion of Mr. Hamilton the bill is placed on the Calendar.

And,

H. B. 1075, A bill to be entitled An act to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the Village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said Act.

On motion of Mr. Hamilton, the bill is placed on the Calendar.

By Messrs. Hoyle and Moore: H. B. 1076, A bill to be entitled An act to amend chapter 37 of the Private Laws of 1923, being the charter of the City of Greensboro.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 1077, A bill to be entitled An act relating to special assessments levied by the City of Greensboro.

Referred to the Committee on Counties, Cities and Towns.

And,

H. B. 1078, A bill to be entitled An act amending the act providing for the extension of special assessments.

Referred to the Committee on Finance.

And,

H. B. 1079, A bill to be entitled An act authorizing the City of Greensboro to issue tax anticipation certificates.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sprinkle: H. B. 1080, A bill to be entitled An act fixing the salary of the County Attorney of Madison County and relating to the duties of the County Commissioners of Madison County.

Referred to the Committee on Salaries and Fees.

By Mr. Warlick: H. B. 1081, A bill to be entitled An act to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development and to prevent the use of haul or drag nets in the waters of New River in Onslow County.

Referred to the Committee on Commercial Fisheries.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 847, A bill to be entitled An act to amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said court.

For concurrence in the Senate amendment.

On motion of Mr. Olive, the House fails to concur in the Senate amendment, and a conference is asked for.

The Speaker appoints as conferees on the part of the House: Messrs. Olive, Young and Dees, and the Senate is so notified.

H. B. 188, A bill to be entitled An act to amend section 6088 of the Consolidated Statutes relating to the reapportionment of the Members of the House of Representatives of the General Assembly of North Carolina, as provided for in the Constitution of the State.

On motion of Mr. Moss, further consideration of the bill is deferred, until the Senate redistricting bill is reported to the House.

Committee substitute for: H. B. 542, A bill to be entitled An act to amend section 1659, chapter 30, of the Consolidated Statutes of North Carolina and all acts amendatory thereto.

Committee substitute adopted.

An amendment offered by Mr. Johnson of Pender is adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1037, A bill to be entitled An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the City of Burlington.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Monroe, Moore, Moss, Moye, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1051, A bill to be entitled An act to regulate peddling in the City of Raleigh.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Monroe, Moore, Moss, Moye, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

S. B. 381, A bill to be entitled An act to provide for funding and refunding of debts of local units of government other than counties, cities and towns. Passes its second reading by the following vote and takes its place on

the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Braddy, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, English, Etheridge, Flanagan, Galloway, Gardner, Garibaldi, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Monroe,

Moore, Moss, Murphy, McEachern, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

S. B. 382, A bill to be entitled An act to amend chapter 60 of the Public Laws of 1931 as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Braddy, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, English, Etheridge, Flanagan, Galloway, Gardner, Garibaldi, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Monroe, Moore, Moss, Murphy, McEachern, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

S. B. 383, A bill to be entitled An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Braddy, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, English, Etheridge, Flanagan, Galloway, Gardner, Garibaldi, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Monroe, Moore, Moss, Murphy, McEachern, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 914, A bill to be entitled An act to provide for the listing and valuing of all property, real, personal, and mixed, at its true value in money.

For concurrence in the Senate amendments.

On motion of Mr. Doughton, the House fails to concur in the Senate amendments and asks for a conference.

The Speaker appoints as conferees on the part of the House: Messrs. Doughton, Everett, McEachern, Cherry and White, and the Senate is so notified.

#### SPECIAL MESSAGE

SENATE CHAMBER, March 24, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate: Senators Burgin and Noell, to act as conferees with your appointees to consider the differences arising on H. B. 847, title, "To amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said Court," and adjust same.

## Respectfully,

LEROY MARTIN, Principal Clerk.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the Secretary of State:

S. B. 127, An act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

S. B. 375, An act to amend Chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

H. B. 935, An act relating to corporation for the protection and development of forests under supervision of the State.

H. B. 966, An act relating to the payment of township highway bonds in McDowell County.

H. B. 974, An act to amend the charter of the City of Kinston, relating to city realty and voting precincts.

H. B. 1029, An act to repeal chapter 107 of the Public-Local Laws, Extra Session of 1924, and to fix the compensation of the Sheriff of Richmond County and to provide for the time of payment thereof.

H. B. 1053, An act to constitute the Commissioners of Robeson County Drainage District No. 2 trustees for the funds belonging to said District, and giving said trustees certain powers with reference thereto.

H. R. 1056, A joint resolution instructing the Secretary of State to have printed one thousand (1,000) copies of House Bill No. 158, and to instruct the Local Government Commission to distribute same to the Chairmen of the Board of County Commissioners of the several counties of the State.

On motion of Mr. Thompson of Beaufort H. B. 732, A bill to be entitled An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the Turn Pike Road connecting the settlements in Washington County and Beaufort County, is taken from the Unfavorable Calendar, and recommitted to the Committee on Roads.

Mr. Scarborough makes a motion that the Finance Committee of the House be instructed to report the Revenue Bill to the House on Monday night, March 27.

The motion fails of adoption.

On motion of Mr. James, H. B. 906, A bill to be entitled An act to amend chapter 87, Public Laws, 1925, and all laws amendatory thereto, is made a Special Order for Tuesday, March 28.

On motion of Mr. Bowie, the House takes a recess until 3 o'clock this afternoon.

# AFTERNOON SESSION

House of Representatives, Friday Afternoon, March 24, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Makepeace: H. B. 1082, A bill to be entitled An act to allow the survivors of any deceased person to provide a burial uncontrolled by monopolists.

Referred to the Committee on Judiciary No. 1.

By Mr. Thompson of Columbus: H. B. 1083, A bill to be entitled An act to amend chapter 267, section 2, Private Laws of 1891, of the State of North Carolina, to incorporate the Town of Whiteville, in Columbus County. Referred to the Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 851, A bill to be entitled An act to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the Town of Aulander.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1003, A bill to be entitled An act to amend section 2, chapter 165, Private Laws of 1903, relating to the election of the members of the Board of Trustees of the Mebane School District.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1042, A bill to be entitled An act to extend the jurisdiction of the Mayor of the Town of Hazelwood.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1074, A bill to be entitled An act to repeal chapter 206, Public-Local Laws of 1931, relating to the stock law in Cedar Island Township and to reenact the stock law for a portion of the said township.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1075, A bill to be entitled An act to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said act.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1060, A bill to be entitled An act to amend chapter 115, Private Laws of 1899, relating to the charter of the Town of Greenville.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 408, A bill to be entitled An act authorizing the Commissioners of Wake County in their discretion to defer for two years the foreclosures under deeds of trust and mortgages held in the Sinking Fund of said county.

Passes its second and third readings, and is ordered Enrolled.

S. B. 415, A bill to be entitled An act relating to the appointment of members of the Board of Education for Pender County.

On motion of Mr. Johnson of Pender the bill is laid on the table.

H. B. 633, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Davie County from the Absentee Voters' Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 795, A bill to be entitled An act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Wilkes County from the Absentee Voters' Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for: H. B. 736, A bill to be entitled An act to promote further efficiency in the public schools.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 874, A bill to be entitled An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 920, A bill to be entitled An act to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. R. 923, Joint resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural de-

velopment, flood control, power development, and the reclamation of the forests in the Valley of the Tennessee River and its tributaries.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 944, A bill to be entitled An act relating to and governing contracts between landlord and tenant in agricultural tenancies.

On motion of Mr. Moss, the bill is recommitted to the Committee on Agriculture.

H. B. 1014, A bill to be entitled An act to amend chapter 207, Public Laws, 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk counties.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1031, A bill to be entitled An act to amend chapters 84 and 424 Public Laws 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 190, A bill to be entitled An act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

A minority report having been filed, the question now recurs upon the adoption of said report.

The minority report is adopted.

The bill passes its second reading and remains on the Calendar.

On motion of Mr. Martin, the House adjourns until 10 o'clock tomorrow.

#### SEVENTIETH DAY

House of Representatives, Saturday, March 25, 1933.

The House meets pursuant to adjournment, and is called to order by Principal Clerk Thad Eure, in the absence of Mr. Speaker Harris, who designated Mr. Doughton of Alleghany as Speaker Pro Tempore.

Prayer by Rev. Forrest Feezor of the City of Raleigh.

Mr. Bender for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

H. B. 1014, A bill to be entitled An act to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk counties.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Binford: H. B. 1084, A bill to be entitled An act to validate appointment of registrars and poll holders for the Leaksville Township Recorder's Court election.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 437, A bill to be entitled An act to amend chapter 466 of the Public-Local Laws of North Carolina, Session 1929, relating to pool rooms.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 745, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes of North Carolina relating to depredations of domestic fowls in certain counties.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 865, A bill to be entitled An act to amend chapter 651 of the Public Laws of 1909 as amended, relating to the Municipal Court of the City of Greensboro.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 880, A bill to be entitled An act providing for renewal of notes and mortgages due Columbus County.

Placed on the Calendar for concurrence in the Senate amendment.

S. B. 167, A bill to be entitled An act to amend chapter 283 of the Public Laws of 1931, being known as An act to amend section 1681 of the Consolidated Statutes relating to payment of damages done by dogs.

Referred to the Committee on Agriculture.

S. B. 387, A bill to be entitled An act relating to the disposition of witness' fees and officers' fees in the office of the Clerk of the Superior Court of Wilkes County.

Referred to the Committee on Judiciary No. 2.

S. B. 402, A bill to be entitled An act relating to the closing of certain stores and filling stations in Pitt County.

Referred to the Committee on Propositions and Grievances.

S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County.

Referred to the Committee on Education.

On motion of Mr. Wilson, the House adjourns and will meet Monday night at 8:00 o'clock.

## SEVENTY-FIRST DAY

House of Representatives, Monday Night, March 27, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. W. Gilliam of Alamance County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Mr. Mark Squires of Caldwell County, former Member of the House.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

H. B. 1078, A bill to be entitled An act amending the act providing for the extension of special assessments.

With a favorable report.

And,

H. B. 660, A bill to be entitled An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

With unfavorable report as to bill; favorable as to Committee substitute.

A House resolution, offered by Messrs. Coffey and Turner of Guilford, requiring the Insurance Commissioner of the State of North Carolina to file with the Principal Clerk of the House his decision upon the petition of the insurance carriers writing compensation insurance in North Carolina, to increase the compensation insurance rates, is adopted.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Moss: H. B. 1085, A bill to be entitled An act to provide corporal punishment for wife beating.

Referred to the Committee on Judiciary No. 1.

By Mr. Ray: H. B. 1086, A bill to be entitled An act to authorize the Commissioners of the City of Hendersonville and the Board of Water Commissioners of the City of Hendersonville to cancel assessments against all churches and synagogues located in the City of Hendersonville.

Referred to the Committee on Finance.

My Mr. Taylor of Mecklenburg: H. B. 1087, A bill to be entitled An act to amend section 6649 of the Consolidated Statutes of North Carolina, Session 1919, relating to the practice of dentistry.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1088, A bill to be entitled An act to amend chapter 149 of the Public Laws of 1927, which chapter is known as the Capital Issues Law, relating to the regulation of the sale of securities within the State of North Carolina.

Referred to the Committee on Banks and Banking.

And,

H. B. 1089, A bill to be entitled An act to regulate the sale of automobile and truck license tags by the State, cities, counties and towns.

Referred to the Committee on Roads.

And,

H. B. 1090, A bill to be entitled An act to regulate the functions of banks and bankers.

Referred to the Committee on Banks and Banking.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. R. 447, Joint resolution requesting the advisory opinion of the Chief Justice and the Associate Justices of the Supreme Court upon S. B. 320 and H. B. 879, providing for the calling of a Convention of the people of this State to pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

On motion of Mr. Murphy, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 386, A bill to be entitled An act to regulate the salaries of officials of Buncombe County, and to reduce the number of employees.

Referred to the Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 437, A bill to be entitled An act to amend Chapter 466 of the Public-Local Laws of North Carolina, Session 1929, relating to pool rooms,

For concurrence in the Senate amendment.

On motion of Mr. Randolph, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

Substitute for: H. B. 719, A bill to be entitled An act to amend the charter of the Town of Kings Mountain, North Carolina.

On motion of Mr. Gardner, the original bill and substitute are laid on the table.

H. B. 87, A bill to be entitled An act to provide for the payment of taxes in monthly installments in Wake County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 880, A bill to be entitled An act providing for renewal of notes and mortgages due Columbus County.

For concurrence in Senate Amendment.

On motion of Mr. Thompson of Columbus, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

H. B. 896, A bill to be entitled An act to provide for jury trials in the General County Court of Bertie County, and for regulating appeals in criminal causes from said Court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 745, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.

For concurrence in the Senate amendment.

On motion of Mr. Williams, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 865, A bill to be entitled An act to amend chapter 651 of the Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro.

For concurrence in the Senate amendment.

On motion of Mr. Turner of Guilford, the House concurs in Senate amendment, and the bill is ordered Enrolled.

Committee substitute for: H. B. 980, A bill to be entitled An act relating to and governing the election of members of the Board of Commissioners of Franklin County.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1068, A bill to be entitled An act to create the office of Auditor of Montgomery County, and to fix the compensation and duties thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for: H. B. 542, A bill to be entitled An act to amend section 1659, chapter 30, of the Consolidated Statutes of North Carolina and all Acts amendatory thereto.

The question recurs upon the passage of the bill on its third reading.

Upon this, Mr. Doughton calls for the "ayes" and "noes." The call is sustained, and the bill fails to pass by the following vote:

Those voting in the affirmative are: Messrs. Bowie, Brown, Coffey, Culpepper, Davis, Dees, Dowtin of Warren, Eagles, English, Etheridge, Froneberger, Gardner, Gattis, Grady, Griffin, Howell, Hoyle, Ingram, Lee, Monroe, Moore, McEachern, Neal, Pope, Randolph, Scarborough, Sprinkle, Stevens, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Robeson, Turner of Guilford, Warlick, Watson, Womble and Young—36.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Cherry, Cowles, Crews, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Flanagan, Galloway, Garibaldi, Gatling, Gilliam, Graham, Grant, Greer, Groves, Hamilton, Haynes, Hutchins, James, Johnson of Chatham, Johnson of Pender, Morphew, Moss, Murphy, Oaks, O'Berry, Olive,

Phillips, Ray, Rouse, Smith, Taylor of Currituck, Thomas, Thompson of Columbus, Turner of Iredell, White and Woodfin—51.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

On motion of Mr. Randolph, the bill is recommitted to the Committee on Judiciary No. 1.

H. B. 661, A bill to be entitled An act to eliminate certain conflicts in the Motor Vehicle Law and to place certain violations of the Motor Vehicle Law within the jurisdiction of a Justice of the Peace by amending chapter 148 of the Public Laws of 1927, chapter 235, Public Laws of 1931, and repealing chapters 120 and 230, Public Laws of 1927.

As amended, the bill remains on the Calendar.

Finance Committee substitute for: S. B. 10, A bill to be entitled An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

On motion of Mr. Bowie, the consideration of the bill is deferred until after it is printed.

On motion of Mr. Bowie, the bill is ordered printed.

H. B. 1073, A bill to be entitled An act relating to bonds of townships, road districts and township road districts.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

The bill, as amended, passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graham, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall, Woodfin and Young—94.

Those voting in the negative are: None.

S. B. 381, A bill to be entitled An act to provide for funding and refunding of debts of local units of government other than counties, cities and towns.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House amendment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Binford, Bowie, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Everett, Flanagan, Froneberger, Galloway,

Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting the negative are: None.

S. B. 382, A bill to be entitled An act to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House-amendment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Binford, Bowie, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Everett, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall, Woodfin and Young—96.

Those voting the negative are: None.

S. B. 383, A bill to be entitled An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1913; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

An amendment offered by Mr. Gattis is adopted, and the bill remains on the Calendar for its second reading roll call, the amendment being a material one.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 105, An act to regulate the practice of cosmetic art in the State of North Carolina.

S. B. 272, An act to fix and determine the October Term of Surry Superior Court.

- S. B. 334, An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.
- S. B. 408, An act authorizing the Commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the sinking fund of said county.
- H. B. 957, An act to provide for the election of trustees for the Troy Special Charter School District at the next municipal election.
- S. B. 180, An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.
- H. B. 128, An act to provide for unincorporated beneficial organizations, associations and/or societies to sue and/or be sued in common name.
- H. B. 279, An act to protect game and fur bearing animals in Beaufort County and prevent the extermination thereof.
- H. B. 390, An act to exempt Davie County from the provisions of chapter 119 of the Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina.
- H. B. 843, An act relative to costs in certain criminal cases in the courts of Pasquotank County.
- H. B. 875, An act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.
- H. B. 903, An act to repeal the charter of the Town of Connelly Springs, Burke County.
  - H. B. 909, An act to fix the compensation of jurors in Yancey County.
- H. B. 910, An act to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.
- H. B. 947, An act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the County of Buncombe and cities and towns in said county.
- H. B. 956, An act to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present Tax Collector of Yancey County.
- H. B. 960, An act to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.
  - H. B. 963, An act to create the office of Tax Collector of Watauga County.
  - H. B. 977, An act regulating the pay of jurors in Johnston County.
- H. B. 988, An act to authorize the creation of the office of Tax Collector for the County of Jones.
- H. B. 1005, An act to extend the time for payment of street assessments in the Town of Ayden, North Carolina.
- H. B. 1006, An act relating to licensing shows outside of incorporated towns in Caldwell County.
- H. B. 1022, An act to regulate duties of Sheriff of Edgecombe County and establish office of Tax Collector of Edgecombe County.
- H. B. 1040, An act validating the purchase by the Commissioners of the Town of Elkin of certain real estate to be used for street and other purposes.
- H. B. 1079, An act authorizing the City of Greensboro to issue tax anticipation certificates.

On motion of Mr. Olive, the House adjourns until eleven o'clock tomorrow

## SEVENTY-SECOND DAY

House of Representatives, Tuesday, March 28, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. John J. Douglass of Newton, North Carolina.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to Messrs. John Puett of Gaston County, E. B. Cloud of Polk County, H. B. Gaston of Gaston County, former Members of the House.

The Chair also extends the courtesies of the floor to Mr. T. A. Eure, former Member from Gates County, and to Mr. Thaddeus Armie Eure, son of T. A. Eure, former Member of the House from Hertford County and the present Principal Clerk of the House.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Judiciary No. 1.

S. B. 299, A bill to be entitled An act to validate judgments under which contingent remainders and executory devises have been partitioned.

And,

S. B. 134, A bill to be entitled An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

And.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

With favorable reports, as amended.

H. B. 29, A bill to be entitled An act to amend chapter 277, Public Laws of 1931, entitled "An act to establish a Director of Personnel and to prescribe and define his duties and powers."

And,

H. B. 199, A bill to be entitled An act releasing owners of motor vehicles from responsibility for injuries to passengers therein.

With unfavorable reports.

And,

H. B. 1026, A bill to be entitled An act to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter.

And.

H. B. 1087, A bill to be entitled An act to amend section 6649 of the Consolidated Statutes of North Carolina, Session of 1919, relating to the practice of dentistry.

With favorable reports.

And,

S. B. 258, A bill to be entitled An act to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

With unfavorable report as to bill; favorable as to Committee substitute, as amended.

#### HOUSE RESOLUTION

A House resolution offered by Mr. Moss, authorizing the Speaker of the House to appoint a Calendar Committee to consider bills referred to said Committee, is adopted.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Moore, Hoyle and Turner of Guilford: H. B. 1091, A bill to be entitled An act to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 1092, A bill to be entitled An act for the relief of the estates of deceased persons.

Referred to the Committee on Judiciary No. 2.

By Mr. Rouse: H. B. 1093, A bill to be entitled An act to authorize the Board of Commissioners of Lenoir County and the governing bodies of the cities and towns in Lenoir County to acquire evidences of indebtedness and make settlement thereof, and to further extend the powers of said boards and validate acts thereof.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Howell: H. B. 1094, A bill to be entitled An act validating certain agreements made by the Board of Commissioners of Haywood County and the Board of Aldermen of the Town of Waynesville, relating to reorganization of the Citizens Bank and Trust Company of Waynesville, and to authorize further agreements relating thereto.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Woodfin: H. B. 1095, A bill to be entitled An act for the relief of the Sheriffs and Tax Collectors in the collection of drainage assessments in Alexander County.

Referred to the Committee on Drainage.

By Mr. Bowie: H. B. 1096, A bill to be entitled An act to abolish the second primaries in all elections in North Carolina.

Referred to the Committee on Election Laws.

By Messrs. Moss and Watson: H. B. 1097, A bill to be entitled An act to make the license of privilege taxes issued by the City of Rocky Mount conform to the fiscal year of said city.

On motion of Mr. Moss, the bill is placed on the Calendar.

By Mr. Pope: H. B. 1098, A bill to be entitled An act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck.

On motion of Mr. Pope, the bill is placed on the Calendar.

By Mr. Morphew: H. B. 1099, A bill to be entitled An act authorizing the County Commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions or any provision of sections 4309, 4311, or 4312 of Consolidated Statutes of North Carolina.

On motion of Mr. Morphew, the bill is placed on the Calendar.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 275, A bill to be entitled An act more clearly to define the duties of the Commissioner of Labor.

Referred to the Committee on Reorganization of State Government.

S. B. 318, A bill to be entitled An act to improve the sanitary conditions of the manufacture of bedding.

Referred to the Committee on Health.

S. B. 410, A bill to be entitled An act to amend section 1 of chapter 265 of the Public Laws of 1929 and section 6185 of Consolidated Statutes in order to make provision for the care of the Negro feebleminded.

Referred to the Committee on Insane Asylums.

S. B. 434, A bill to be entitled An act to authorize the Commissioner of Motor Vehicles to refund license fees paid on vehicles which are totally destroyed during license year.

Referred to the Committee on Finance.

S. B. 437, A bill to be entitled An act to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the City of High Point.

Referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for: H. B. 660, A bill to be entitled An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 661, A bill to be entitled An act to eliminate certain conflicts in the Motor Vehicle Laws and to place certain violations of the Motor Vehicle Law within the jurisdiction of a Justice of the Peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 230 of the Public Laws of 1927.

On motion of Mr. Hamilton, the vote by which an amendment offered at yesterday's session by Mr. Womble was adopted, is reconsidered.

The amendment offered by Mr . Womble is lost.

Several amendments offered by Members are lost.

An amendment offered by Mr. Smith is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1043, A bill to be entitled An act to amend chapter 252, Public Laws, 1931, relating to payment of criminal costs before a Justice of the Peace in Jackson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1013, A bill to be entitled An act to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 206, A bill to be entitled An act to amend chapter 402, being "An act to authorize, empower and direct the Sheriff and other tax collecting officers in certain counties and municipalities to establish a partial-payment plan for the collection of taxes," and to add the counties of Buncombe, Haywood and Rowan to the provisions of said Act.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendment.

### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House, for its consideration, H. B. 906, A bill to be entitled An act to amend chapter 87, Public Laws, 1925, and all laws amendatory thereto.

An amendment offered by Mr. Doughton is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

The question now recurs upon the passage of the bill, as amended, on its several readings.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 1073, A bill to be entitled An act relating to bonds of townships, road districts and township road districts.

As amended, the bill passes its third reading by the following vote, and is ordered Engrossed:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Falkner, Flanagan, Froneberger, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Greer, Griffin,

Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Pender, Ledford, Lee, Makepeace, Martin, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor, of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—93.

Those voting in the negative are: None.

S. B. 383, A bill to be entitled An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

As amended, the bill passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Falkner, Flanagan, Froneberger, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Pender, Ledford, Lee, Makepeace, Martin, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor, of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—93.

Those voting in the negative are: None.

Mr. Watson moves that H. B. 964, A bill to be entitled An act, providing for a special levy for special purposes by counties, be recalled from the Senate for further consideration by the House.

The motion fails of adoption.

On motion of Mr. Gardner, the House takes a recess until eight o'clock tonight.

## NIGHT SESSION

House of Representatives, Tuesday Night, March 28, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. McEachern, for the Committee on Agriculture:

H. B. 1021, A bill to be entitled An act to amend chapter 53 of the Public Laws of 1927, being An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina.

And.

H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

And.

S. B. 167, A bill to be entitled An act to amend chapter 283 of the Public Laws of 1931, being known as An act to amend section 1681 of the Consolidated Statutes relating to payment of damages done by dogs.

And,

S. B. 327, A bill to be entitled An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction. And.

S. B. 354, A bill to be entitled An Act to amend chapter 87, Public Laws of 1921, relating to coöperative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members.

With favorable reports.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 1081, A bill to be entitled An act to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development and to prevent the use of haul or drag nets in the waters of New River, in Onslow County.

With a favorable report.

By Mr. Doughton of Alleghany, for the Committee on Finance:

S. B. 365, A bill to be entitled An act regulating the advertising and sale of bankrupt, receivership, assignment, insolvency, fire, closing-out or auction stocks of merchandise in the City of Burlington, Alamance County.

With an unfavorable report.

And,

S. B. 397, A bill to be entitled An act to allow the Tax Collector of the Town of Star to collect back taxes.

And.

H. B. 1063, A bill to be entitled An act to validate the foreclosure of tax certificates in Polk County.

And.

H. B. 1064, A bill to be entitled An act to provide for the collection of delinquent taxes on real estate in Polk County.

And,

H. B. 1086, A bill to be entitled An act to authorize the Commissioners of the City of Hendersonville and the Board of Water Commissioners of the City of Hendersonville to cancel assessments against all churches and synagogues located in the City of Hendersonville.

With favorable reports.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Smith, by request: H. B. 1100, A bill to be entitled An act to amend chapter 30, Public Laws of 1931, relating to judicial notice of the laws of foreign states.

Referred to the Committee on Judiciary No. 1.

By Mr. Ruark: H. B. 1101, A bill to be entitled An act to extend the time for service of summons in tax suits instituted by City of Southport.

Referred to the Committee on Finance.

#### MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 426, A bill to be entitled An act relating to certain bonds of Henderson County.

Referred to the Committee on Finance.

#### SPECIAL MESSAGE

SENATE CHAMBER, March 28, 1933.

Mr. Speaker:

It is ordered that a message be sent the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate: Senators Rankin, Dunagan and Fuller to act as conferees with your appointees to consider the differences arising on H. B. 914, title "To provide for listing and valuing of all property, real, personal and mixed at its real value," and adjust the same.

### Respectfully,

LEROY MARTIN, Clerk of the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1097, A bill to be entitled An act to make the license of privilege taxes issued by the City of Rocky Mount conform to the fiscal year of said City.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 406, A bill to be entitled An act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County.

The Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 1099, A bill to be entitled An act authorizing the County Commissioners of Graham County, North Carolina, to pay a reward for evidence to

convict any person who violates the provisions or any provision of sections 4309, 4311 or 4312 of Consolidated Statutes of North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 863, A bill to be entitled An act to amend chapter 122, section 29 of the Public Laws of 1927, relative to motor vehicle license.

Mr. Taylor of Currituck offers an amendment, which is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 899, A bill to be entitled An act to eliminate the mandatory requirements of any particular offices in any county or municipality.

On motion of Mr. Wilson, the bill is recommitted to the Committee on Counties, Cities and Towns.

H. B. 900, A bill to be entitled An act to declare all salaries fixed by any Act of the General Assembly to be construed as the maximum salary for said office.

On motion of Mr. Wilson, the bill is recommitted to the Committee on Counties, Cities and Towns,

H. B. 901, A bill to be entitled An act to give the commissioners of the several counties and the governing bodies of the several municipalities of the State the power to consolidate or eliminate any and all offices not required by the Constitution and to grant to said body the power to fix salaries of all county and municipal offices.

On motion of Mr. Wilson, the bill is recommitted to the Committee on Counties, Cities and Towns.

H. B. 918, A bill to be entitled An act to amend section 220(e), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 994, A bill to be entitled An act to amend section 5168(d), Volume III of the Consolidated Statutes, relative to the County Boards of Pensions.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1004, A bill to be entitled An act to appoint delegates to the Second Interstate Legislative Assembly.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1052, A bill to be entitled An act to amend section 1526 of the Consolidated Statutes, relating to liability of sureties on bonds to stay execution.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1078, A bill to be entitled An act amending the act providing for the extension of special assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 56, A bill to be entitled An act to repeal sections 3401 and 3402 of Article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

As amended, the bill passes its second reading, and remains on the Calendar.

S. B. 69, A bill to be entitled An act to abolish the Absentee Ballot Law in all primary elections in North Carolina.

On motion of Mr. Sullivan, the bill is laid on the Table.

S. B. 121, A bill to be entitled An act to amend chapter 120, Public Laws, 1929, the same being known as "The Workmen's Compensation Act," so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 147, A bill to be entitled An act to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.

Passes its second and third readings, and is ordered Enrolled.

S. B. 181, A bill to be entitled An act to amend chapter 86 Public Laws of North Carolina, Session 1925, same being An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligations of a decedent without incurring personal liability on the part of the administrators or executors or collectors.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 184, A bill to be entitled An act to amend section 5003 (1), chapter 87a of the Consolidated Statutes, relative to autopsy.

Mr. Sullivan offers a substitute for the bill.

The substitute is adopted.

Passes its second reading, and remains on the Calendar.

S. B. 191, A bill to be entitled An act to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in House Amendment.

S. B. 229, A bill to be entitled An act to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.

Passes its second and third readings, and is ordered Enrolled.

S. B. 241, A bill to be entitled An act to amend section 2578, Consolidated Statutes of North Carolina with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 288, A bill to be entitled An act amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

The subject matter in this bill being the same as contained in H. B. 503, the same having been defeated, the Chair orders the bill to be laid on the Table on point of order raised by Mr. Olive.

S. B. 205, A bill to be entitled An act to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery, and affrays where deadly weapons are used and serious damage done.

Passes its second and third readings, and is ordered Enrolled.

S. B. 311, A bill to be entitled An act to amend section 1013, Consolidated Statutes of North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 324, A bill to be entitled An act to amend section 2285 of the Consolidated Statutes of North Carolina, relating to process and jury service issued under said section.

Passes its second and third readings, and is ordered Enrolled.

S. B. 340, A bill to be entitled An act to amend section 2650 of the Consolidated Statutes of North Carolina, and to provide that municipal elections shall be held on Tuesday after the First Monday in June.

An amendment offered by Mr. Bowie is adopted.

As amended, the bill remains on the Calendar.

S. B. 356, A bill to be entitled An act to permit the consolidation of counties by popular vote therein.

Passes its second and third readings, and is ordered Enrolled.

S. B. 357, A bill to be entitled An act to permit the annexation of one county by another by popular vote.

Passes its second and third readings, and is ordered Enrolled.

S. B. 358, A bil Ito be entitled An act to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

Passes its second and third readings, and is ordered Enrolled.

S. B. 312, A bill to be entitled An act to amend chapter 146, Public Laws, 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the last preceding three years.

Passes its second and third readings, and is ordered Enrolled.

S. B. 377, A bill to be entitled An act to provide for special judges in North Carolina.

Passes its second reading, and remains on the Calendar.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

S. R. 447, A Joint Resolution requesting the advisory opinion of the Chief Justice and the Associate Justices of the Supreme Court upon Senate Bill 320 and House Bill 879 providing for the calling of a convention of the people of this State to pass upon the proposed Amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

H. B. 66, An act relating to the appointment of tax collectors for Hertford County.

- H. B. 437, An act to amend chapter 466 of the Public-Local Laws of North Carolina, Session 1929.
  - H. B. 652, An act to regulate the leasing of storage batteries.
- H. B. 745, An act to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.
- H. B. 803, An act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.
- H. B. 865, An act to amend chapter 651 of the Public Laws of 1909, as amended, relating to the Municipal Court of the City of Greensboro
- H. B. 880, An act providing for renewal of notes and mortgages due Columbus County.
- H. B. 939, An act to validate certain sales of property under foreclosure sales, etc., in Stanly County.
- H. B. 970, An act to amend chapter 344 and chapter 350, Public-Local Laws 1931, relating to certain fees of the Clerk Superior Court and Register of Deeds of Granville County.
- H. B. 971, An act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.
- H. B. 1012, An act to describe and define the limits and boundaries of the City of Saluda, in Polk County.
- H. B. 1020, An act to divide the Board of County Commissioners of Johnston County in three classes.
  - H. B. 1030, An act to authorize the issuance of scrip by Tyrrell County.
- H. B. 1032, An act to allow certain discounts in the payment of delinquent taxes in the Town of Beaufort.
- H. B. 1047, An act to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.
- H. B. 1048, An act to fix the salaries of the Judge and Prosecuting Attorney of the Recorder's Court for Richmond County.
- H. B. 1084, An act to validate appointment of registrars and poll holders for the Leaksville Township Recorder's Court Election.
- H. B. 1093, An act to authorize the Board of Commissioners of Lenoir County and the governing bodies of the cities and towns in Lenoir County to acquire evidences of indebtedness and make settlement thereof, and to further extend the powers of said boards and validate acts thereof.

On motion of Mr. Wilson the House adjourns until eleven o'clock tomorrow.

### SEVENTY-THIRD DAY

House of Representatives, Wednesday, March 29, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. C. Moye of Greene County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Cherry, for the Committee on Roads:

H. B. 732, A bill to be entitled An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the turnpike road connecting the settlements in Washington County and Beaufort County.

With a favorable report.

H. B. 790, A bill to be entitled An act to repeal chapter 343, Public-Local Laws of 1931, relating to a Highway Commission of Madison County.

And,

H. B. 1089, A bill to be entitled An act to regulate the sale of automobile and truck license tags by the State, cities, counties and towns.

With unfavorable reports.

By Mr. Turner, for the Committee on Judiciary No. 2:

H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

The Committee recommend that the bill be recommitted to the Committee on Appropriations.

It is so ordered.

And.

H. B. 1091, A bill to be entitled An act to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

And.

H. B. 1092, A bill to be entitled An act for the relief of the estates of deceased persons.

With favorable reports.

And.

H. B. 546, A bill to be entitled An act by which the service of notice of summons by publication can be permanently proven by record.

With an unfavorable report as to bill, favorable as to committee substitute.

ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 661, A bill to be entitled An act to eliminate certain conflicts in the motor vehicle laws and to place certain violations of the motor vehicle laws within the jurisdiction of a justice of the peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 230 of the Public Laws of 1927.

H. B. 863, A bill to be entitled An act to amend chapter 122, section 29, of the Public Laws of 1927, relative to motor vehicle license.

- H. B. 918, A bill to be entitled An act to amend section 220(e), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.
- H. B. 994, A bill to be entitled An act to amend section 5168(d), Volume III, of the Consolidated Statutes relative to County Boards of Pensions.
- H. B. 1073, A bill to be entitled An act relating to bonds of townships, road districts and township road districts.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Garibaldi: H. B. 1102, A bill to be entitled An act to regulate the sale of milk bottles and containers in Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Cameron: H. B. 1103, A bill to be entitled An act to place Mrs. Margaret Vick of Moore County on the Pension Roll.

Referred to the Committee on Pensions.

And,

H. B. 1104, A bill to be entitled An act to amend An act entitled "An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Moss: H. B. 1105, A bill to be entitled An act to place Mrs. Lucy Howard of Nash County on Confederate Pension Roll.

Referred to the Committee on Pensions.

By Messrs. Everett and Brawley: H. B. 1106, A bill to be entitled An act to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

On motion of Mr. Everett, the bill is placed on the Calendar.

By Mr. Allen: H. B. 1107, A bill to be entitled An act to amend section 2187 of the Consolidated Statutes relating to the procedure to compel guardians to account.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1108, A bill to be entitled An act to amend section 3 of chapter 192 of the Public Laws of 1923 relating to reports of foreclosure sales to be made by trustees and mortgagees.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 1109, A bill to be entitled An act to amend section 765 of the Consolidated Statutes relating to reports of commissioners appointed to sell lands:

Referred to the Committee on Judiciary No. 1.

By Mr. Monroe: H. B. 1110, A bill to be entitled An act relating to the Recorder's Court of Montgomery County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Gatling: H. B. 1111, A bill to be entitled An act relating to the use of profane language on the public highways of Gates County.

Referred to the Committee on Propositions and Grievances.

By Mr. Hamilton: H. R. 1112, Joint resolution by the General Assembly of North Carolina relating to the development of Fort Macon State Park and vicinity, making the same more accessible, and providing for the relief of unemployment under the act of Congress.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Everett and Brawley: H. B. 1113, A bill to be entitled An act supplemental and amendatory to S. B. 180, it being "An Act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Froneberger: H. B. 1114, A bill to be entitled An act authorizing the City of Gastonia to issue tax anticipation certificates.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Beasley: H. B. 1115, A bill to be entitled An act to amend H. B. No. 376, Public-Local Laws of 1933, relating to constable fees in Union County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Olive: H. B. 1116, A bill to be entitled An act supplemental to and amendatory of Senate Bill No. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Moye: H. B. 1117, A bill to be entitled An act to improve the administration of justice in the courts of justices of the peace and to reduce the number of such justices and provide for their election and appointment.

Referred to the Committee on Justices of the Peace.

By Mr. Gilliam: H. B. 1118, A bill to be entitled An act to regulate the distribution and sale of oleomargarine and other butter substitutes in North

Carolina, and impose an inspection and excise fee of five cents per pound on same

Referred to the Committee on Finance.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 452, A bill to be entitled An act amending chapter 213, Private Laws of 1929, relating to the Cotton Weigher in Raleigh Township, Wake County, North Carolina.

Referred to the Committee on Counties, Cities and Towns.

S. B. 454, A bill to be entitled An act relating to the sale of property in the Town of Seaboard for delinquent taxes for the years 1931 and 1932.

Referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1063, A bill to be entitled An act to validate the foreclosure of tax certificates in Polk County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 991, A bill to be entitled An act to validate certain sales of land for street assessments in the Town of Leaksville, and certificates issued in pursuance thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1064, A bill to be entitled An act to provide for the collection of delinquent taxes on real estate in Polk County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1081, A bill to be entitled An act to clarify and make certain the provisions of Regulation No. 119 of the Department of Conservation and Development, and to prevent the use of haul or drag nets in the waters of New River, in Onslow County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1086, A bill to be entitled An act to authorize the Commissioners of the City of Hendersonville and the Board of Water Commissioners of the City of Hendersonville to cancel assessments against all churches and synagogues located in the City of Hendersonville.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 397, A bill to be entitled An act to allow the Tax Collector of the Town of Star to collect back taxes.

Passes its second and third readings, and is ordered Enrolled.

H. B. 906, A bill to be entitled An act to amend chapter 87, Public Laws of 1925, and all laws amendatory thereto.

The question now recurs upon the passage of the bill on its third reading.

Mr. Doughton of Alleghany offers a substitute for the bill.

The substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

Committee amendment is adopted.

As amended, the bill passes its second reading and remains on the Calendar.

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

A Committee amendment is adopted.

An amendment offered by Mr. Cherry is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1015, A bill to be entitled An act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal.

An amendment offered by Mr. Bowie is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1021, A bill to be entitled An act to amend chapter 53 of Public Laws 1927, being An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1026, A bill to be entitled An act to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1045, A bill to be entitled An act to make the possession of machine guns and other like weapons unlawful.

An amendment offered by Mr. Neal is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1087, A bill to be entitled An act to amend section 6649 of the Consolidated Statutes of North Carolina, session 1919, relating to the practice of dentistry.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

House Substitute for:

S. B. 184, A bill to be entitled An act to amend section 5003 (1), Chapter 87-A of the Consolidated Statutes relative to autopsy.

Passes its third reading, and is ordered sent to the Senate for concurrence in the House Substitute.

S. B. 190, A bill to be entitled An act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

The question recurs upon the passage of the bill on its third reading.

On this Mr. Rouse calls for the "ayes" and "noes." The call is sustained and the bill fails to pass its third reading by the following vote:

Those voting in the affirmative are: Messrs. Allen, Bean, Beasley, Bowie, Brown, Cameron, Cowles, Culpepper, Douglass, Dowtin of Warren, Eagles, English, Falkner, Galloway, Gardner, Graeber, Grant, Hamilton, Howell, Ingram, Johnson of Pender, Makepeace, Monroe, Morphew, Moye, Oaks, O'Berry, Pope, Scarborough, Sprinkle, Spruill, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, and Woodfin—41.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bender, Boyd, Braddy, Brawley, Cherry, Coffey, Cox, Crews, Dees, Doughton of Alleghany, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Garrou, Gattis, Gilliam, Greer, Griffin, Haynes, James, Johnson of Chatham, Lee, Lumpkin, Martin, Moore, Moss, Murphy, Neal, Olive, Phillips, Randolph, Ray, Rouse, Smith, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Turner of Guilford, Warlick, Wilson and Woodall—48.

S. B. 56, A bill to be entitled An act to repeal sections 3401 and 3402 of Article 6, chapter 66, of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 383, A bill to be entitled An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Amendment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Grant, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin—96.

Those voting in the negative are: None.

H. B. 1098, A bill to be entitled An act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Grant, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Moore, Morphew, Moss, Moye, Murphy, Neal, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, and Woodfin—92.

Those voting in the negative are none.

## ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 147, An act to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.
- S. B. 229, An act to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.
- S. B. 295, An act to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery, and affrays, where deadley weapons are used and serious damage done.
- S. B. 311, An act to amend section 1013, Consolidated Statutes of North Carolina.
- S. B. 312, An act to amend chapter 146, Laws 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.
- S. B. 324, An act to amend section 2285 of the Consolidated Statutes of North Carolina relating to process and jury service issued and under said section.
- S. B. 356, An act to permit the consolidation of counties by popular vote therein.
- S. B. 357, An act to permit the annexation of one county by another by popular vote.
- S. B. 358, An act to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

On motion of Mr. Binford, the House takes a recess until 8:00 o'clock tonight.

## NIGHT SESSION

House of Representatives, Wednesday Night, March 29, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Johnson, for the Committee on Insurance:

H. B. 941, A bill to be entitled An act to amend chapter 71, Public Laws of 1931, regulating life assessment insurance associations.

With unfavorable report as to bill; favorable as to the Committee substitute.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 989, A bill to be entitled An act fixing the salary of the County Auditor or Accountant of Madison County and relating to his duties.

And,

H. B. 750, A bill to be entitled An act repealing section 4, chapter 341, Public-Local Laws of 1931, being An act to fix the fees of certain officials of Madison County whose salaries have been abolished and to define the duties of certain officials and boards.

And.

H. B. 1080, A bill to be entitled An act fixing the salary of the County Attorney of Madison County, and relating to the duties of the County Commissioners of Madison County.

With unfavorable reports.

And.

S. B. 306, A bill to be entitled An act to amend sections 6, 7 and 10, chapter 435 of Public-Local Laws of 1913, relating to fees of officers of Catawba County.

With a favorable report, as amended.

And.

H. B. 995, A bill to be entitled An act fixing the salary as a coroner of Johnston County.

And,

S. B. 273, A bill to be entitled An act amending chapter 117 of the Public-Local Laws of North Carolina, Session 1921, regulating the fees of the Sheriff of Scotland County.

And,

H. B. 1019, A bill to be entitled An act to regulate the salaries of public officials in Transylvania County and for other purposes.

And,

H. B. 1069, A bill to be entitled An act fixing the compensation of the Clerk of Court, Register of Deeds and Sheriff of Montgomery County and the duties thereof.

And.

H. B. 978, A bill to be entitled An act to authorize the Board of Commissioners of Lenoir County to fix the salaries of the County officers of Lenoir County.

With favorable reports.

By Mr. Doughton, for the Committee on Finance:

S. B. 426, A bill to be entitled An act relating to certain bonds of Henderson County.

And,

S. B. 437, A bill to be entitled An act to amend chapter 131, Public-Local Laws, 1931, relating to special assessments levied by the City of High Point.

And.

S. B. 454, A bill to be entitled An act relating to the sale of property in the Town of Seaboard for delinquent taxes for the years 1931 and 1932.

And

H. B. 1101, A bill to be entitled An act to extend the time for service of summons in tax suits instituted by City of Southport.

With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Everett, Beasley, Cameron and Doughton: H. R. 1119, Joint Resolution of the General Assembly of North Carolina, relative to the Honorable Josephus Daniels, Ambassador extraordinary and Minister plenipotentiary of the United States to the Republic of Mexico.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Neal: H. R. 1120, Joint Resolution adopted by the General Assembly of North Carolina, relating to the development of Mount Mitchell State Park, and making the same more accessible to the public, and providing for the relief of unemployment under An act of Congress.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Spruill: H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the Town of Windsor, in Bertie County.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Taylor of Currituck: H. B. 1122, A bill to be entitled An act to repeal chapter 62 of the Public-Local Laws of 1929, relative to the salary of the Sheriff of Currituck County.

Referred to the Committee on Salaries and Fees.

By Mr. Bean: H. B. 1123, A bill to be entitled An act to amend chapter 249, Public Laws of 1931, relating to the extension of special assessments.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Thompson of Columbus: H. B. 1124, A bill to be entitled An act to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of County Commissioners in Columbus County.

Referred to the Committe on Election Laws.

And,

H. B. 1125, A bill to be entitled An act to regulate fishing in the various swamps, marshes and creeks in Columbus County.

Placed on the Calendar.

By Messrs. Thompson of Columbus, Lee and Thompson of Beaufort: H. B. 1126, A bill to be entitled An act requiring vaccination of dogs against rabies.

Referred to the Committee on Health.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 449, A bill to be entitled An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local-tax School District and defining its powers and duties."

Referred to the Committee on Education.

S. B. 459, A bill to be entitled An act regulating the fees of jurors and witnesses in the courts of Catawba County.

Referred to the Committee on Salaries and Fees.

S. B. 462, A bill to be entitled An act supplemental to S. B. 335, the same being "A bill to be entitled An act for the relief of the Bank of Franklin and its depositors," ratified on the Eighth Day of March, 1933.

On motion of Mr. Ingram, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### SPECIAL MESSAGE

SENATE CHAMBER, March 29, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. 121, "To amend chapter 120, Public Laws, 1929, the same being known as 'The Workmen's Compensation Act,' so as to provide that employers and employees of electric street railroads may come under the provisions thereof," and asks for conference. For your

information the Senate has appointed as its conferees: Senators Hanes and Dempsey.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

Pursuant to above information, the Speaker appoints as conferees on the part of the House: Messrs. Johnson of Pender, Taylor of Mecklenburg and Martin of Buncombe, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 732, A bill to be entitled An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the turn-pike road connecting the settlements in Washington County and Beaufort County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 377, A bill to be entitled An act to provide for special judges in North Carolina.

An amendment offered by Mr. Moss is adopted.

An amendment offered by Mr. Bowie is lost.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 361, A bill to be entitled An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter fifty-six, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State-supported institutions of higher learning in North Carolina.

An amendment offered by Mr. Tompkins is adopted.

An amendment offered by Mr. Cameron is adopted.

An amendment offered by Mr. Olive is adopted.

An amendment offered by Mrs. Mebane is lost.

As amended, the bill passes its second reading, and remains on the Calendar.

S. B. 115, A bill to be entitled An act to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

On motion of Mr. Smith, the bill is made a Special Order for Monday night, April 3.

S. B. 333, A bill to be entitled An act to amend the Preamble and the several sections of the Constitution of North Carolina.

On motion of Mr. Aycock of Wake, the bill is made a Special Order for Tuesday, April 4.

Mr. Ray makes a motion that the vote by which S. B. 190, A bill to be entitled An act to permit certain persons, duly licensed as pharmacists in other states to stand the examination to practice pharmacy, failed to pass its third reading, be reconsidered.

The motion is adopted.

On motion of Mr. Scarborough, the bill is placed on its immediate passage.

The question now recurs upon the pasage of the bill on its third reading. Mr. Moss offers an amendment, and upon its adoption, calls for the "ayes" and "noes." The call is sustained, and the amendment is adopted by the following vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Beasley, Binford, Boswell, Braddy, Brawley, Cameron, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Eaton, Edwards, Everett, Ewing, Flanagan, Froneberger, Garrou, Gatling, Gilliam, Graham, Griffin, Haynes, Howell, Hoyle, Johnson of Chatham, Johnson of Pender, Lumpkin, Martin, Mebane, Monroe, Moss, Murphy, McEachern, Neal, Oaks, O'Berry, Pope, Randolph, Ray, Rouse, Sullivan, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Watson, Williams, Wilson, Womble and Young—61.

Those voting in the negative are: Messrs. Bowie, Brock, Brown, Douglass, Dowtin of Warren, Eagles, Galloway, Gardner, Graeber, Ingram, James, Morphew, Scarborough, Spruill, Stevens, Turner of Iredell and White—17.

Members answering present are: Messrs. Berryman and English.

The question now recurs upon the passage of the bill, as amended, on its third reading.

Upon this, Mr. Rouse calls for the "ayes" and "noes." The call is sustained, and the bill, as amended, passes its third reading by the following vote, and is ordered sent to the Senate for concurrence in the House Amendment.

Those voting in the affirmative are: Messrs. Allen, Bean, Bowie, Brock, Brown, Cameron, Coffey, Cowles, Culpepper, Davis, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Galloway, Gardner, Gatling, Graeber, Haynes, Howell, Ingram, James, Lumpkin, Mebane, Monroe, Morphew, Moss, Oaks, O'Berry, Pope, Scarborough, Sprinkle, Spruill, Sullivan, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams and Woodfin—48.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Binford, Boswell, Braddy, Brawley, Cox, Crews, Dees, Doughton of Alleghany, Etheridge, Everett, Ewing, Flanagan, Garrou, Gilliam, Graham, Hoyle, Johnson of Chatham, Lee, Martin, Murphy, McEachern, Neal, Randolph, Ray, Rouse, Stevens, Wilson, Womble and Young—32.

Mr. Scarborough makes a motion that the vote by which the bill passed its third reading be reconsidered, and that motion do lie upon the Table.

It is so ordered.

On motion of Mr. Randolph, the House adjourns and will meet tomorrow at eleven o'clock a.m.

## SEVENTY-FOURTH DAY

House of Representatives, Thursday, March 30, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. M. Poteat of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to; Mr. Zeb Vance Norman of Washington County and Mr. A. E. White of Robeson County, former Members of the House.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Flanagan, for the Committee on Penal Institutions:

H. B. 871, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County.

With a favorable report.

By Mr. Olive, for the Committee on Insurance:

H. B. 905, A bill to be entitled An act o amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing claims.

With unfavorable report as to bill; favorable as to Committee substitute.

By Mr. Johnson of Chatham, for the Committee, on Federal Relations:

H. R. 768, Joint Resolution requesting the Senators and Representatives in Congress from the State of North Carolina to secure the enactment of some appropriate measure to provide for delaying the foreclosures on real property and for an extension of time in which to pay all balances.

With unfavorable report.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 1059, A bill to be entitled An act providing for the working of prisoners on the streets of the Town of Maiden in Catawba County, North Carolina.

With a favorable report, as amended.

And.

H. B. 1076, A bill to be entitled An act to amend chapter 37 of the Private Laws of 1923, being the Charter of the City of Greensboro.

And,

H. B. 1077, A bill to be entitled An act relating to special assessments levied by the City of Greensboro.

And,

- S. B. 290, A bill to be entitled An act to amend the Charter of the City of Hickory by providing for the reassessment of street improvement liens, etc. And.
- H. B. 931, A bill to be entitled An act to regulate charges made by the Ciy of Asheville for water consumed in Bouncombe County water districts. And.
- S. B. 452, A bill to be entitled An act amending chapter 213, Private Laws of 1929, relating to the cotton weigher in Raleigh Township, Wake County, North Carolina.

With favorable reports.

And.

S. B. 289, A bill to be entitled An act to amend the Charter of the City of Hickory by extending its corporate limits.

With unfavorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 151, A bill to be entitled An act amending section 2354, Consolidated Statutes, relating to notice to quit in certain tenancies.

And,

H. B. 1057, A bill to be entitled An act to protect the civil rights of the citizens of the State of North Carolina.

And,

H. B. 510, A bill to be entitled An act to require that notice be mailed to the owner of property being offered for sale under foreclosure, etc.

With unfavorable reports.

And,

S. B. 256, A bill to be entitled An act to amend chapter 2 of Consolidated Statutes of 1919, relating to the adoption of minors.

And,

S. B. 428, A bill to be entitled An act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes.

And.

H. B. 1100, A bill to be entitled An act to amend chapter 30, Public Laws of 1931, relating to judicial notice of the laws of foreign states.

With favorable reports.

And,

S. B. 234, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship.

With a favorable report, as amended.

By Mr. Davis, for the Committee on Drainage:

H. B. 1095, A bill to be entitled An act for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County. With a favorable report.

## ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

H. B. 1015, A bill to be entitled An act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal. (Not applicable to Ashe County and Durham County.)

H. B. 1045, A bill to be entitled An act to make the possession of machine guns and other like weapons unlawful.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Johnson of Chatham: H. B. 1127, A bill to be entitled An act to place Mrs. B. G. Womble of Chatham County on the Confederate Pension Roll.

Referred to the Committee on Pensions.

By Mr. Gilliam: H. B. 1128, A bill to be entitled An act to amend section 130 of chapter 427, Public Laws of 1931, relating to tax on slot machines.

Referred to the Committee on Finance.

By Mr. Gilliam, by request:

H. B. 1129, A bill to be entitled An act to repeal chapter 61, Private Laws of 1923, entitled "An act to provide for a commission to operate public utilities supplying water or lights to the citizens of the Town of Graham."

Referred to the Committee on Regulation of Public Service Corporations. By Messrs. Rouse and Warlick: H. B. 1130, A bill to be entitled An act to exempt Lenoir and Onslow counties from the operation of the State Barbers' License Law.

Referred to the Committee on Judiciary No. 2:

By Mr. Rouse: H. B. 1131, A bill to be entitled An act to abolish hunting and fishing licenses in Lenoir County.

Referred to the Committee on Game.

By Mr. Williams: H. R. 1132, A bill to be entitled An act to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County. Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Froneberger: H. B. 1133, A bill to be entitled An act to authorize the City Council of the City of Gastonia to extend the time of the payment of special assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Éngrossment.

And,

H. B. 1134, A bill to be entitled An act authorizing and empowering the Commissioners of Gaston County, in their discretion, to defer for three

years the foreclosure under deeds of trust and mortgages held in the sinking fund of said County and to authorize and empower said Commissioners to sell real estate now or hereafter held by them for the sinking fund of said County upon such terms as, in their discretion, they think proper but in no case for a period longer than five years.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. English: H. B. 1135, A bill to be entitled An act to amend chapter 99, Public Laws, 1931, relative to contracts for auditing and accounting to be awarded to the lowest bidder.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Turner of Guilford: H. B. 1136, A bill to be entitled An act to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the Municipal Court of the City of High Point.

Referred to the Committee on Judiciary No. 2.

By Mr. Garrou: H. B. 1137, A bill to be entitled An act to amend the State-wide Game Law by excepting Burke County therefrom, and for the creation of a local game and fish commission.

Referred to the Committee on Game.

By Messrs. Williams, Warlick, Lee and Rouse: H. B. 1138, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the Sixth Judicial District.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Turner of Iredell, by request: H. B. 1139, A bill to be entitled An act to amend chapter 71 of Private Acts of North Carolina, Session 1872-73, relating to the Charter of Mooresville in Iredell County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Thompson of Columbus: H. R. 1140, Joint Resolution instructing the Secretary of State to have printed one thousand copies of S. B. 180, and H. B. 914, and to instruct the Local Government Commission to distribute same to the chairman of the board of county commissioners of the several counties of the State.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Wilson, by request: H. B. 1141, A bill to be entitled An act to amend H. B. 158, ratified March 13, 1923, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the

title thereon conveyed for failure to pay taxes," so as to provide an alternative method of notification.

Referred to the Committee on Judiciary No. 2.

By Messrs. Johnson of Chatham and Wilson: H. B. 1142, A bill to be entitled An act limiting the boards of education to a membership of three.

Referred to the Committe on Education.

By Mr. Graham: H. B. 1143, A bill to be entitled An act to fix the status of certain acreage made by intra-coastal waterway dredging operations.

Referred to the Committee on Education.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 450, A bill to be entitled An act relating to the appointment and election of county superintendents of public instruction and district school committeemen.

On motion of Mr. Graham, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 465, A bill to be entitled An act creating a central board of assessors for Forsyth County.

Referred to the Committee on Finance.

H. R. 1119, Joint Resolution of the General Assembly of North Carolina, relative to the Honorable Josephus Daniels, Ambassador extraordinary and Minister plenipotentiary of the United States to the Republic of Mexico.

For concurrence in the Senate Amendment.

On motion of Mr. Doughton, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGES

SENATE CHAMBER, March 30, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the conferees' report on H. B. 221, "To provide for the organization, as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their disbarment and discipline," to the end that you may order the bill Enrolled if similar action is taken by your Body.

Respectfully,

LeRoy Martin, Clerk of the Senate.

SENATE CHAMBER, March 30, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the conferees' report on H. B. 914, "To provide for the listing and valuing of all property, real, personal and mixed, at its true value in money," to the end that you may order the bill Enrolled if similar action is taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, March 30, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the conferees' report on H. B. 389, "To amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes," to the end that you may order the bill Enrolled if similar action is taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 978, A bill to be entitled An act to authorize the Board of Commissioners of Lenoir County to fix the salaries of the County officers of Lenoir County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 995, A bill to be entitled An act fixing the salary as a Coroner of Johnston County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1019, A bill to be entitled An act to regulate the salaries of public officials in Transylvania County, and for other purposes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1069, A bill to be entitled An act fixing the compensation of the Clerk of Court, Register of Deeds and Sheriff of Montgomery County and the duties thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1101, A bill to be entitled An act to extend the time for service of summons in tax suits instituted by the City of Southport.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1125, A bill to be entitled An act to regulate fishing in the various swamps, marshes and creeks in Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 273, A bill to be entitled An act amending chapter 117 of the Public-Local Laws of North Carolina, Session 1921, regulating the fees of the Sheriff of Scotland County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 306, A bill to be entitled An act to amend sections 6, 7 and 10 of chapter 435 of Public-Local Laws, 1913, relating to the fees of officers of Catawba County.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 454, A bill to be entitled An act relating to the sale of property in the Town of Seaboard for delinquent taxes for the years 1931 and 1932.

Passes its second and third readings, and is ordered Enrolled.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

Committee Substitute for:

H. B. 941, A bill to be entitled An act to amend chapter 71, Public Laws of 1931, regulating mutual burial associations.

Committee substituted adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

Committee Substitute for:

H. B. 546, A bill to be entitled An act by which the service of notice of summons by publication can be permanently proven by record.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

S. B. 10, A bill to be entitled An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

An amendment offered by Mr. Bowie is adopted.

An amendment by Mr. Taylor of Mecklenburg is lost.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1106, A bill to be entitled An act to amend section 2757 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 361, A bill to be entitled An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws, 1925, in so far as they are in conflict with this Act, and to require the payment of tuition by all students in State-supported institutions of higher learning in North Carolina.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1091, A bill to be entitled An act to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 134, A bill to be entitled An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendments.

S. B. 167, A bill to be entitled An act to amend chapter 283 of the Public Laws of 1931, being known as An act to amend section 1681 of the Consolidated Statutes, relating to payment of damages done by dogs.

Passes its second and third readings, and is ordered Enrolled.

S. B. 238, A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Acts of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol, under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors.

An amendment offered by Mr. Bowie is adopted.

An amendment offered by Mr. Brawley is adopted.

An amendment offered by Mr. Johnson of Pender is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendments.

House Committee Substitute for:

S. B. 258, A bill to be entitled An act to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

House Committee substitute adopted.

A Committee amendment is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Substitute, as amended.

S: B. 281, A bill to be entitled An act to enable counties to establish district jails.

Passes its second and third readings, and is ordered Enrolled.

S. B. 299, A bill to be entitled An act to validate judgments under which contingent remainders and executory devisees have been partitioned.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1098, A bill to be entitled An act to amend chapter 345, Private Laws of 1901, relating to Scotland Neck.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Monroe, Moore, Morphew, Moss, Neal, Oaks, O'Berry, Phillips, Pope, Ray, Rouse, Scarborough, Smith, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin, and Young—87. Those voting in the negative are: None.

S. B. 426, A bill to be entitled An act relating to certain bonds of Henderson County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Monroe, Moore, Morphew, Moss, Neal, Oaks, O'Berry, Phillips, Pope, Ray, Rouse, Scarborough, Smith, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin, and Young—87.

Those voting in the negative are: None.

# CONFERENCE REPORT

To the Speaker and President of the Senate:

Report of Joint Conferees of Senate and House on H. B. 389, being "An act to amend chapter 145, Public Laws, 1931, relating to the refund of gasoline taxes."

It is recommended that the House adopt paragraphs 1, 4 and 5 of the Senate Amendment, and that the Senate recede from paragraphs 2 and 3 of its amendment.

# Respectfully submitted,

R. G. RANKIN, L. I. MOORE,

Conferees on Part of the Senate.

G. A. BARDEN, ROBERT T. WILSON, W. W. NEAL,

Conferees on Part of the House.

The Report is adopted, and a similar report having been adopted by the Senate, the bill is ordered Enrolled.

### CONFERENCE REPORT

To the Senate and House of Representatives:

Your Conference Committee, having under advisement the Committee Substitute for H. B. 221, and the Senate Amendments thereto, relating to the organization as an agency of the State of North Carolina of the North Carolina State Bar, hereby recommends the following:

- 1. That Senate Amendment No. 1 be adopted;
- 2. That the Senate recede from its Amendment No. 2:
- 3. That the Senate recede from its Amendment No. 3, and that the following be adopted in lieu thereof: Amend section 11, line 26 by inserting the following between the period and the word "from" in said line: "Upon appeal to the Judge of the Superior Court, the accused shall have the right to have his cause heard by a jury," and by inserting between the word "appeal" and the word "the" in line 27 the words "or the jury."
  - 4. That Senate Amendment No. 4 be adopted.

# Respectfully submitted,

C. E. BLACKSTOCK,

L. T. HARTSELL, JR.,

T. L. KIRKPATRICK,

Conferees on the Part of the Senate.

O. B. Moss,

JOHN D. WARLICK,

LUTHER HAMILTON,

Conferees on the Part of the House.

The Report is adopted, and a similar report having already been adopted by the Senate, the bill is ordered Enrolled.

#### CONFERENCE REPORT

# To the Senate and House of Representatives:

The undersigned, your Committee on Conference, touching the differences between the two Houses of the General Assembly in respect to H. B. 914, known as the Machinery Act, beg leave to report that we have carefully considered these differences and recommend:

First: That the House concur in the amendment of the Senate in respect to the proposed tax on the stock of foreign corporations, which amendment is as follows:

"Nor shall any individual stockholder of any foreign corporation be required to list or pay taxes on any share of its capital stock in this State, providing the owner of such shares of stock has complied with the provisions of section 311½ of the Revenue Act, and the situs of such shares of stock in foreign corporations, owned by residents of this State, for the purposes of this act, is hereby declared to be at the place where said corporation undertakes and carries on its principal business."

Second: That the House concur in the Senate Amendment to section 304, subsection 5-a, which is as follows:

"Amend by adding at the end of subsection 5-a under section 304, the following: *Provided, further*, that the governing boards of cities and towns shall require a sworn statement to the effect that such bills have not and will not be presented to any Board of County Commissioners as a debt against that county, or as a credit on taxes due that county."

Third: That the House concur in Senate Amendment to section 805, subsection 8, in the last paragraph thereof, as follows:

"By inserting two per cent in lieu of the four per cent as now written; by inserting one per cent in lieu of three per cent as now written; by striking out the entire line next to last line thereof, and by inserting one-half of one per cent in lieu of the one per cent as now written."

Fourth: That the Senate recede from its amendment to Article IV, section 400, subsection 1, as follows:

"Amend by striking out all after the period following the word 'term,' in line 24, and inserting in lieu thereof, the following: *Provided*, that such horizontal reduction or increase or revaluation as may be provided by the Board of County Commissioners shall not exceed in the aggregate thirty-three and one-third per cent (33 1-3 per cent) of the present valuation of the property in said counties."

Fifth: That the House concur in Senate Amendment to section 402, as follows:

"Amend by striking out the word "first," in line ten, and inserting in lieu thereof, the word "third."

Sixth: That the House concur in Senate Amendment known as the Committee amendment to section 521, in which subsections are added, numbered respectively ten (10) and eleven (11), as follows:

"Section 10. That all assessments made under the provision of section 521 shall be subject to appeal by the party assessed to the Superior Court upon notice given within ten days after the assessment is made to be served upon the Chairman of the Board of Commissioners. Upon the service of such notice the Clerk to the Board shall transmit to the Clerk of the Superior Court of the county wherein the property assessed is located all notices, orders and other records, together with all the findings of the Board with respect to the assessment, and the Clerk shall enter such appeal upon the civil issue docket of the county when a trial de novo shall be had, the hearing of which shall take priority over all other civil actions. The Superior Court shall, upon such appeal, have the right to modify, confirm or reject in full, any such assessment as may have been made by the Board

of Commissioners under and by virtue of the section herein above referred to and shall have the right and power to find all facts connected with such assessment or to refer any question of fact that may arise back to the Board of Commissioners for further finding, and shall pass upon all matters of law relating to the legality of the assessment fixed by such Board of Commissioners, and from such rulings upon matters of law either party shall have the right of appeal to the Supreme Court."

"Section 11. That after assessment is made under provision of section 521, no levies of taxes shall be collectible in cases where the taxpayer appeals to the Superior Court pending the appeal, provided, however, before any appeal can be perfected under the provisions of this act, the taxpayers shall enter into a bond payable to the Board of Commissioners in an amount equal to the taxes levied, plus twenty-five per cent of the amount of the levy, but in no case shall the bond be for less than Two Hundred Dollars (\$200) and the said bond shall be conditioned upon the payment of all taxes levied by said Board of Commissioners under section 521 aforesaid legally determined to be due and the costs of the appeal in case the assessment or any part thereof is made effective by the court."

Respectfully submitted,

R. G. RANKIN, S. P. DUNAGAN, DAVID H. FULLER.

Members of Conference Committee on Part of the Senate.

R. A. Doughton, R. G. Cherry, Laurie McEachern,

Members of Conference Committee on Part of the House.

The Report is adopted, and a similar report having already been adopted by the Senate, the bill is ordered Enrolled.

#### STATEMENT OF MEMBERS

The following statement is made by Messrs. Everett and White, which statement is ordered spread on the Journal:

To the House of Representatives:

As Minority members of the House Conference Committee, relative to the Machinery Act, we respectfully report:

We could not sign the majority report. The only material difference between the House and Senate was that relating to the exemption of foreign stocks from taxation. The House voted sixty-five to thirty-eight taxing foreign stocks, the Senate voted thirty-eight to six striking out that provision of the bill. We understand the Senate will not recede from its position and a contest between the two Houses will be fruitless. We do not desire to delay an adjournment by a useless contest, and therefore do not file a minority report.

We do respectfully ask, however, that the House permit us to file the following statement, as a justification of the House's position, as well as our own. We think the exemption of foreign stocks is unwise for the following, among other reasons:

First: The income tax of 1931 on foreign stocks amounted to \$687,000, and that amount capitalized at six per cent would mean that the principal value of the stock was \$222,000,000. And ad valorem tax of two dollars per hundred, which is about the average tax in counties, towns and cities on that sum, would yield \$4,440,000. That is an important item at this time when a sales tax is suggested which will bear heaviest upon those least able to pay it, when the exemption of foreign stocks is a concession to those who least need it. It is unwise from a business point of view.

Second: The domestic corporations of the State are required to pay an ad valorem tax, not only upon their real and personal property located in the State, but upon their corporate excess, or stock value, which is \$269,000,000, and a tax of two dollars per hundred on that amount is \$5,380,000. The only thing necessary for a domestic corporation to do to escape paying a tax on its corporate excess is to domesticate in Delaware. This they did not do prior to 1923, for the reason that the stock, as a foreign corporation, would have been taxed. Since 1923, most of the successive corporations have domesticated in states other than North Carolina.

The taxing of foreign stocks may cause some individuals to leave the State, but it will bring back home many successful corporations.

Third: It is unwise as it encourages investments in outside securities and to that extent retards the development of our own resources. It is now practically impossible for the small business man, without special advantages, to borrow money with which to carry on the small enterprises so necessary to a well balanced economic life.

# Respectfully submitted,

R. JENNINGS WHITE.

R. O. EVERETT.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 181, An act to amend chapter 86, Public Laws of North Carolina, Session 1925, the same being An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executor or collector.
- S. B. 191, An act to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death.
- S. B. 206, An act to amend chapter 402, "Being An act to authorize, empower and direct the sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes" and to add the Counties of Haywood, Rowan and Swain to the provisions of said Act.
- S. B. 241, An act to amend section 2578, Consolidated Statutes of North Carolina, with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.
- S. B. 397, An act to allow the Tax Collector of the Town of Star to collect back taxes.

- S. B. 462, An act supplemental to Senate Bill 335, the same being "A bill to be entitled An act for the relief of the Bank of Franklin and its depositors," ratified on the 8th day of March, 1933.
- H. B. 466, An act to allow the Tax Collector of the Town of Brevard to receive bonds or notes of said Town in payment of special assessments.
- H. B. 468, An act to authorize the Tax Collector of the Town of Brevard to receive bonds on notes of said Town in payment of debt service portion of current or delinquent taxes.
- H. B. 990, An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard.
- H. B. 1009, An act to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.
- H. B. 1017, An act to authorize the City of Saluda to accept past-due street improvement bonds and coupons as payment on street assessments.
- H. B. 1024, An act to amend Local Government Law relating to issuing and selling bonds for construction of courthouse in Alleghany County.
- H. B. 1071, An act to authorize the Governing Body of the Town of Red Springs to extend the time for payment of street and sidewalk assessments.
- H. R. 1112, A Joint Resolution by the General Assembly of North Carolina relating to the development of Fort Macon State Park and vicinity, making the same more accessible, and providing for the relief of unemployment under the Act of Congress.
- H. R. 1120, A Joint Resolution adopted by the General Assembly of North Carolina relating to the development of Mount Mitchell State Park and making the same more accesible to the public and providing for the relief of unemployment under Act of Congress.

On motion of Mr. Aycock of Wake, the House adjourns and will meet tomorrow at eleven o'clock a.m.

# SEVENTY-FIFTH DAY

House of Representatives, Friday, March 31, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

Leave of absence is granted to: Mr. Taylor of Halifax, indefinitely, on account of sickness.

The courtesies of the floor are extended to: Dr. L. B. Edwards, former Senator from Bertie County.

The Speaker appoints Robert Hyde Pope, son of Representative Pope, of Halifax County, an Honorary Page of the House.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Randolph, for the Committee on Conservation and Development.

H. B. 100, A bill to be entitled An act to prohibit the pollution or poisoning of waters of the Tuckaseegee and Tennessee rivers with all their tributaries.

With unfavorable report, as to bill and substitute.

And.

H. B. 1002, A bill to be entitled An act to coördinate the activities of State departments in maintenance of the sanitary quality and economic utility of North Carolina water courses.

With a favorable report.

By Mr. Graham, for the Committee on Education:

H. B. 1143, A bill to be entitled An act to fix the status of certain acreage made by intracoastal waterway dredging operations.

With a favorable report.

By Mr. Hoyle, for the Committee on Judiciary No. 2:

H. B. 975, A bill to be entitled An act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

With a favorable report.

And,

H. B. 570, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship.

With unfavorable report.

#### ENGROSSED BILLS

Mr. Taylor of Currituck, for the Committee on Engrossed Bills and Resolutions, respectfully reports that we have carefully examined the following Engrossed bills, and find them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Olive: H. B. 1144, A bill to be entitled An act to amend section 16 (a), chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers' license tags.

Referred to the Committee on Roads.

By Messrs. Murphy and Turner of Iredell: H. B. 1145, A bill to be entitled An act to make possible and provide for medical treatment and

hospital care of poor, indigent sick and injured persons in Iredell and Rowan counties.

On motion of Mr. Murphy, the bill is placed on the Calendar.

By Messrs. Grant and Newman: H. B. 1146, A bill to be entitled An act to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the meter adjuster of the County of New Hanover.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And.

H. B. 1147, A bill to be entitled An act to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the Town of Carolina Beach.

On motion of Mr. Grant, the bill is placed on the Calendar.

By Mr. Crews: H. B. 1148, A bill to be entitled An act to enable non-profit corporations which have merged to regain their former status.

Referred to the Committee on Corporations.

By Mr. Ruark: H. B. 1149, A bill to be entitled An act to revise pilotage rates for the Cape Fear River and Bar.

Referred to the Committee on Judiciary No. 2.

And.

H. B. 1150, A bill to be entitled An act to regulate pilotage by persons not holding proper license.

Referred to the Committee on Judiciary No. 2.

By Mr. Thompson of Columbus: H. B. 1151, A bill to be entitled An act to place the name of Mrs. Amelia Lemmon, widow of Charles Lemmon, on the Confederate Pension Roll.

Referred to the Committee on Pensions.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 405, A bill to be entitled An act to amend chapter 64, Public Laws 1931 to withdraw Edgecombe County from the operating provision of said Act.

On motion of Mr. Eagles, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 406, A bill to be entitled An act to amend chapter 126, Public Laws 1931 to withdraw Edgecombe County from the operating provision of said Act.

On motion of Mr. Eagles, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 1011, A bill to be entitled An act to authorize the Town of Sanford to refund certain outstanding bonds.

For concurrence in the Senate Amendment.

On motion of Mr. Makepeace, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 466, A bill to be entitled An act to regulate the sale of milk bottles and containers in Meckenburg County.

On motion of Mr. Garibaldi, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 125, A bill to be entitled An act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes, and to reduce salaries of officers, employees, and agents.

On motion of Mr. Cherry, the House fails to concur in the Senate amendments, and asks for a conference.

The Speaker appoints as Conferees on the part of the House: Messrs. Newman, Cherry, Graham, Barden, Greer and Moye, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1059, A bill to be entitled An act providing for the working of prisoners on the streets of the Town of Maiden, in Catawba County, North Carolina.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1076, A bill to be entitled An act to amend chapter 37 of the Private Laws of 1923, being the charter of the City of Greensboro.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1077, A bill to be enttled An act relating to special assessments levied by the City of Greensboro.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1095, A bill to be entitled An act for the relief of the Sheriffs and Tax Collectors in the collection of drainage assessments in Alexander County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 428, A bill to be entitled An act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes.

Passes its second and third readings, and is ordered Enrolled.

S. B. 437, A bill entitled An act to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the City of High Point.

On motion of Mr. Turner of Guilford, the bill is recommitted to the Committee on Finance.

S. B. 452, A bill to be entitled An act amending chapter 213, Private Laws of 1929, relating to the cotton weigher in Raleigh Township, Wake County, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 327, A bill to be entitled An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

An amendment offered by Mr. Rouse is lost.

An amendment offered by Mr. Binford is adopted.

An amendment offered by Mr. Womble is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendments.

Committee substitute for: H. B. 905, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing of claims.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1092, A bill to be entitled An act for the relief of the estates of deceased persons.

Passes its second and third readings, and is ordered sent to the Senate with out Engrossment.

H. B. 1100, A bill to be entitled An act to amend chapter 30, Public Laws of 1931, relating to judicial notice of the laws of foreign states.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

House Committee substitute for: S. B. 70, A bill to be entitled An act to require an audit of the receipts and expenditures of the Park Commission to date, and authorizing the Governor to designate a Committee of the Park Commission to be appointed by him to investigate and report upon the expenditures and receipts of said Commissioners and whether such expenditures were authorized, and to amend chapter 48 of the Public Laws of 1927.

Mr. Olive offers a substitute for the House Committee substitute,

The question now recurs upon the adoption of the stubstitute for the House Committee substitute.

The substitute for the House Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Substitute.

The House Committee substitute bill is laid on the table.

The original Senate bill is returned to the Senate.

S. B. 256, A bill to be entitled An act to amend chapter 2, Consolidated Statutes of 1919, relating to the adoption of minors.

Passes its second and third readings, and is ordered Enrolled.

S. B. 290, A bill to be entitled An act to amend the charter of the City of Hickory by providing for the reassessment of street improvement liens, etc. Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Beasley, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cherry, Coffey, Cowles, Crews, Culpepper, Doughton of Alleghany, Dowtin of Warren, Eagles, Edwards, Everett, Falkner, Flanagan,

Galloway, Gardner, Garibaldi, Garrou, Gilliam, Grady, Grant, Griffin, Groves, Haynes, Hoyle, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Martin, Massenburg, Monroe, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Woodall and Woodfin—75.

Those voting in the negative are: None.

S. B. 426, A bill to be entitled An act relating to certain bonds of Henderson County.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Beasley, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cherry, Coffey, Cowles, Crews, Culpepper, Doughton of Alleghany, Dowtin of Warren, Eagles, Edwards, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Grady, Grant, Griffin, Groves, Haynes, Hoyle, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Martin, Massenburg, Monroe, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Ray, Rouse, Ruark, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Woodall and Woodfin—75.

Those voting in the negative are: None.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 167, An act to amend chapter 283 of the Public Laws of 1931, being known as An act to amend section 1681 of the Consolidated Statutes relating to payment of damages done by dogs.
  - S. B. 281, An act to enable counties to establish district jails.
- S. B. 273, An act amending chapter 117 of the Public-Local Laws of North Carolina, Session 1921, regulating the fees of the Sheriff of Scotland County.
- S. B. 450, An act relating to the appointment and election of county superintendents of public instruction and district school committeemen.
- S. B. 454, An act relating to the sale of property in the Town of Seaboard for delinquent taxes for the years 1931 and 1932.
- H. B. 906, An act to amend chapter 87, Public Laws of 1925 and all laws amendatory thereof.
- H. B. 1114, An act authorizing the City of Gastonia to issue tax anticipation certificates.
- H. R. 1119, Joint Resolution of the General Assembly of North Carolina, relative to the Honorable Josephus Daniels, Ambassador Extraordinary and Minister Plenipotentiary of the United States to the Republic of Mexico.
- H. R. 1140, A joint resolution instructing the Secretary of State to have printed 1,000 copies of Senate Bill 180 and House Bill 914, and to instruct

the Local Government Commission to distribute same to the Chairmen of the Board of County Commissioners of the several counties of the State.

On motion of Mr. Bowie, H. B. 395, A bill to be entitled An act to abolish the State Textbook Commission and to prohibit the State Board of Education from changing books either in Primary or Public High Schools of North Carolina for a period of two years from the date of ratification of this act, is recalled from the Committee on Reorganization of State Government, and placed on the Calendar.

On motion of Mr. Cherry, the House adjourns and will meet tomorrow at 11 o'clock, a.m.

# SEVENTY-SIXTH DAY

House of Representatives, Saturday, April 1, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Theodore Partrick of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance.

H. B. 928, A bill to be entitled An act to authorize the County of Alamance to charge a privilege tax on the sale of oleomargarine.

With unfavorable report as to bill and substitute.

And.

S. B. 465 A bill to be entitled An act creating a Central Board of Assessors for Forsyth County.

With a favorable report.

### ENGROSSED BILLS

Mr. Sullivan, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1059, A bill to be entitled An act providing for the working of prisoners on the streets of the Town of Maiden, in Catawba County, North Carolina. (Applicable also to the Town of Conover.)

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Arndt: H. B. 1152, A bill to be entitled An act to allow fishing in the streams of Catawba County with trot lines and baskets.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 367, A bill to be entitled An act to legalize the sale of beers, ales, porter, and/or other light wines containing not more than three and two-tenths per cent alcohol by weight, repealing such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of same, provide a means of collection and to provide a penalty for the violation of the provisions herein contained.

On motion of Mr. Boyd, the bill is placed on the Calendar.

S. B. 474, A bill to be entitled An act to amend S. B. 175, relating to the office of Treasurer-Tax Collector of Mecklenburg County.

Referred to the Committee on Counties, Cities and Towns.

S. B. 433, A bill to be entitled An act to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter, relating to the assumption of school district debt of counties.

Referred to the Committee on Finance.

S. B. 435, A bill to be entitled An act supplemental to and amending An act ratified March 20, 1933, it being H. B. 698, and entitled "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234, Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of Game Commissioners."

Referred to the Committee on Game.

S. B. 439, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County into two classes.

Referred to the Committee on Counties, Cities and Towns.

S. B. 468, A bill to be entitled An act to amend Committee substitute for S. B. 180, so as to regulate the application of its provisions to Scotland County and municipalities therein.

On motion of Mr. Pope, the bill is placed on the Calendar.

## SPECIAL MESSAGE

SENATE CHAMBER, March 31, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to Senate bill No. 56, title, "To repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills," and asks for conference. For

your information, the Senate has appointed as its Conferees: Senators Hartsell and Fuller.

Respectfully,

LEROY MARTIN, Clerk of Senate.

In compliance with the above message, the Speaker appoints as Conferees on the part of the House: Messrs. Hamilton, Randolph and Haynes, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1145, A bill to be entitled An act to make possible and provide for medical treatment and hospital care of poor, indigent, sick and injured persons in Iredell and Rowan counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 931, A bill to be entitled An act to regulate charges made by the City of Asheville for water consumed in Buncombe County Water Districts.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Sullivan, the House adjourns, and will meet Monday night at 8 o'clock p.m.

# SEVENTY-SEVENTH DAY

House of Representatives, Monday Night, April 3, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. W. W. Davidson of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

March 31, 1933.

HONORABLE R. L. HARRIS, Speaker of the House of Representatives, Raleigh.

DEAR MR. SPEAKER:

By direction of Joint Resolution No. 30, General Assembly of 1927, I have the honor to transmit herewith the report of the George Washington Bicentennial Commission.

Respectfully submitted,

J. C. B. EHRINGHAUS,

Governor.

# GEORGE WASHINGTON BICENTENNIAL COMMISSION REPORT

To His Excellency, Governor J. C. B. Ehringhaus, Honorable A. H. Graham, Lieutenant Governor, Honorable R. L. Harris, Speaker, and Members of the General Assembly of North Carolina:

As required by joint resolution of the General Assembly of North Carolina, Session of 1927, the George Washington Bicentennial Commission of North Carolina begs leave to report.

By act of Congress passed at the Session of 1922, a National Commission was created for properly celebrating and studying the life of General George Washington and observing the 200th anniversary of his birth.

At the instance of Governor Angust W. McLean, on the 7th day of March, 1927, Francis D. Winston, Representative in the General Assembly from Bertie County, introduced the following joint resolution which passed both houses of the General Assembly.

## RESOLUTION No. 30

JOINT RESOLUTION TO CREATE A COMMISSION, ON THE PART OF THE STATE OF NORTH CAROLINA, TO BE ASSOCIATED WITH A LIKE COMMISSION CREATED BY ACT OF CONGRESS: AND SUCH OTHER COMMISSIONS AS HAVE BEEN AND MAY HEREAFTER BE CREATED BY ACT OF THE LEGISLATURES OF THE RESPECTIVE STATES: AND WITH SIMILAR COMMITTEES FORMED BY THE SULGRAVE INSTITUTION AND OTHER PATRIOTIC CIVIC BODIES: IN COMMEMORATION OF THE BICENTENNIAL OF THE BIRTHDAY OF GEORGE WASHINGTON, THE MOST SIGNIFICANT AND MOMENTOUS ANNIVERSARY EVENT IN THE HISTORY OF THE AMERICAN PEOPLE.

Whereas, the Congress of the United States by joint resolution approved, the twenty-second of December, one thousand nine hundred and twenty-four, authorized the establishment of a national commission to conduct the celebration of the two hundredth anniversary of the birth of George Washington; and,

Whereas, it is the desire of the National Commission that the several states authorize the appointment of commissions to coöperate with said National Commission in formulating plans for and conducting such celebration; and,

Whereas, the significance of this event transcends in importance any other historic event of a similar kind, that has before been commemorated by our Nation; and,

Whereas, several years are needed in which to secure endorsement of the plan by the respective states, and providing commissioners therefor; and to complete fitting and adequate plans for the commemoration of such outstanding historical event; and,

Whereas, heretofore the commemoration of epochal events has always been marred by the incompletion of preparations for such celebrations necessitating delays and lessening the significance of the ceremonial; and,

Whereas, if any suitable commemoration of the bicentennial of the birth of George Washington, that is commensurate with its importance and significance to the American people, and the world, be held, then the time between the present day and the date of the proposed celebration is by

no means too long for the completion and carrying out of plans necessary therefor, wherefore, be it,

Resolved by the House of Representatives of the State of North Carolina, the Senate concurring:

Section 1. That a State Commission be and the same is hereby created, to consist of eleven persons, of whom, one ex-officio member shall be the Governor of the State of North Carolina, and of whom ten shall be appointed by the Governor of this State, to act for the State and to be associated with the National, State and Civic Commissions in connection with the celebration, in the year one thousand nine hundred and thirty-two, at such place as the National Commission may name, and by the Nation as a whole, or the bicentennial of the birth of George Washington, General of our armies who achieved our Independence, President of the Convention which gave us Constitutional Government; first President of our Republic; our foremost citizen who died and has since lived "first in peace, first in war and first in the hearts of his countrymen."

- Sec. 2. That the commission hereunder created shall continue for a period of one year after the expiration of the celebration of said event; and shall file their report with the Governor of the State who shall transmit the same to the next succeeding General Assembly after such celebration.
- Sec. 3. That such commission shall have its first meeting in the City of Raleigh upon the call of the Governor; and upon organization shall represent the State of North Carolina in respect to the formulation and completion of plan or plans of celebration in association with the other commissions and committees named in this act; and shall, as such, participate in carrying out the program so arranged and that the officers of this commission shall consist of a chairman, vice chairman and a secretary to be selected from their number.
- Sec. 4. That the Governor of the State be, and he is hereby authorized and requested to transmit suitable copies of the joint resolution to the President; to the Senate and to the House of Representatives in Congress; to the Governors of the respective states and to the Sulgrave Institution to the end that they be apprized that the State of North Carolina heartily endorses the proposed celebration and promises to promote it and participate therein.
- Sec. 5. The vacancies occurring in the commission herein created, shall be filled by appointment by the Governor of this State.
- Sec. 6. That this resolution shall take effect from February twenty-second, one thousand nine hundred and twenty-seven.

Ratified this the 7th day of March, A.D. 1927.

Under it Governor A. W. McLean appointed the following commission: Frances D. Winston, Windsor, Chairman; J. L. Horne, Jr., Rocky Mount, Secretary; Clyde R. Hoey, Shelby; Col. Wade H. Harris, Charlotte; John D. Bellamy, Wilmington; J. F. Hurley, Salisbury; Mrs. Sidney Cooper, Henderson; Mrs. B. Frank Mebane, Spray; Mrs. David H. Blair, Washington; Mrs. E. D. Broadhurst, Greensboro.

The commission met October 20, 1931, at 11 o'clock in the Governor's office and there were present Francis D. Winston, J. L. Horne, Jr., John D. Bellamy, Mrs. Sidney Cooper and Mrs. B. Frank Mebane.

Organization was perfected by the election of J. L. Horne, Jr., editor of the *Evening Telegram* of Rocky Mount, as secretary.

The North Carolina Commission at once took steps to organize North Carolina for a complete compliance with the national act and request.

There was appinted in each county a committee consisting of the present members of the House of Representatives, the Superintendent of Public Instruction and the mayor of the county seat, with two other persons to be known as a local Bicentennial Commission. Such persons were ordered to meet at the county seat prior to Monday, October 26, 1931, and to make plans for their county observances.

Governor O. Max Gardner was called upon and issued a proclamation addressed to the people of our State calling on them to give aid and encouragement to a proper celebration and observance of this event in our national life.

The press of the State was called upon by resolution to urge active organization of the work by the county schools and citizens to the end that North Carolina might accord a creditable celebration.

The University of North Carolina and all other institutions of learning, state, religious, public and private, were requested to set apart one day for the observance of the Bicentennial.

The Honorable A. T. Allen, State Superintendent of Public Instruction, was called upon to take such steps as would cause a proper celebration of said event in every public school in North Carolina. The fulfillment of these appointments was put in the hands of sub-committees under active direction of a member or members of the parent committee.

There was held a meeting in the Governor's office in Raleigh on Saturday, February 6, 1930, at 11 o'clock, at which time all details and plans were approved and reports were received from various sub-committees. This meeting was attended by His Excellency, Governor O. Max Gardner, Chairman Ex Officio; the Chairman, former Lieutenant-Governor Francis D. Winston; Mrs. Sidney Cooper, J. L. Horne, Jr., Secretary; John D. Bellamy. Present by Proxy, Mrs. B. Frank Mebane, Mrs. David H. Blair, Clyde R. Hoey. Absent, Col. Wade H. Harris, J. F. Hurley, Mrs. E. D. Broadhurst.

Every department of our State government rendered active and complete assistance. The schools of North Carolina, of both races, under the active direction of Superintendent A. T. Allen, have without exception put on programs and contests. Every university and college either accorded a day's celebration, or gathering of the student body for chapel exercises and talks by faculty members at least one time during the period of the celebration which begun on February 22, 1932, and was officially concluded on Thanksgiving day.

Every fraternal organization in the State has responded splendidly to the request of the Commission and given excellent programs.

There is not a church in the State in which proper note and reference was not made to our duty of studying the life and character of our first President.

The expense of printing prohibits our giving in detail an account of the thousands of meetings held, and the programs.

Your commission has requested Hon. A. T. Allen to receive and preserve these records as a part of the history of his department.

We wish especially to give expression of our hearty thanks to the Press of the State for elaborate assistance in giving publicity to this commission and its work.

We are pleased to report that no expenses have been incurred by your commission.

We herewith respectfully tender our report.

Frances D. Winston, Chairman, J. L. Horne, Jr., Secretary, N. C. George Washington Bicentennial Commission.

## APPOINTMENT OF CALENDAR COMMITTEE

The Speaker appoints the following as members of the Calendar Committee: Messrs. Moss, Chairman; Lumpkin, Coffey, Tompkins, and Rouse.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Coffey: H. R. 1153, Joint Resolution to have twenty-five hundred additional copies of House Bill 914, known as "The Machinery Act," printed. Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Randolph, Etheridge, O'Berry, Newman, Crews, Cox, Johnson of Pender, Massenburg, Hamilton, Moss, Murphy, Taylor of Mecklenburg, Wilson and Doughton: H. B. 1154, A bill to be entiled An act to provide for the reorganization of banks in North Carolina.

Referred to the Committee on Banks and Banking.

By Mr. Davis: H. B. 1155, A bill to be entitled An act relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter. Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Galloway: H. B. 1156, A bill to be entitled An act to allow the Commissioners of Transylvania County to accept county bonds in payment of certain taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Gilliam: H. B. 1157, A bill to be entitled An act to amend the North Carolina Game Law in the particulars mentioned below, the said amendments in this act to apply to Alamance County only.

Referred to the Committee on Calendar.

By Mr. Taylor of Mecklenburg: H. B. 1158, A bill to be entitled An act to raise revenue by levying a tax on filling stations and chain filling stations.

Referred to the Committee on Judiciary No. 1.

By Mr. Rouse: H. B. 1159, A bill to be entitled An act relating to building inspection fees in Lenoir County.

Referred to the Committee on Calendar.

By Dr. Douglass: H. B. 1160, A bill to be entitled An act to prohibit contracts commonly called "futures," in the buying and selling of stock, bonds and commodities.

Referred to the Committee on Judiciary No. 1.

By Mr. Griffin: H. B. 1161, A bill to be entitled An act relating to the payment of township highway bonds in Rutherford County.

On motion of Mr. Griffin, the bill is placed on the Calendar.

By Mr. Thompson of Beaufort: H. B. 1162, A bill to be entitled An act to authorize the issuance of script by Beaufort County.

Referred to the Committee on Finance.

#### SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

SENATE CHAMBER, April 1, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Clement, McLean and Bagley, to act as Conferees with your Appointees to consider the differences arising on H. B. No. 125, title, "The Appropriations Bill," and to adjust the same.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 465, A bill to be entitled An act creating a central board of assessors for Forsyth County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 468, A bill to be entitled An act to amend Committee Substitute for Senate Bill No. 180, so as to regulate the application of its provisions to Scotland County and municipalities therein.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1147, A bill to be entiled An act to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the Town of Carolina Beach.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Coffey Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglas, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Graham, Grant, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James,

Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—93.

Those voting in the negative are: None.

S. B. 290, A bill to be entitled An act to amend the Charter of the City of Hickory by providing for the reassessment of street improvement liens, etc.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Berryman, Binford, Boswell, Bowie, Braddy, Brawley, Brock, Brown, Cameron, Coffey Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglas, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Graeber, Graham, Grant, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—93.

Those voting in the negative are: None.

S. B. 367, A bill to be entitled An act to legalize the sale of beer, ales, porter and/or other light wines containing not more than three and two-tenths per cent of alcohol by weight, repeal such acts, or portions of acts, as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained.

An amendment offered by Mr. Tompkins is lost.

An amendment is offered by Mr. Martin and others, and upon its adoption Mr. Hamilton calls for the "ayes" and "noes." The call is sustained and the amendment is lost by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Berryman, Braddy, Brock, Cameron, Coffey, Cowles, Davis, Douglass, Eaton, English, Everett, Gatling, Gilliam, Graham, Greene, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Martin, Mebane, Monroe, Moye, Phillips, Pope, Ray, Ruark, Sigmon, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell and Woodfin—38.

Those voting in the negative are: Messrs. Aycock of Wake, Aycock of Wayne, Barden, Bean, Binford, Boswell, Bowie, Boyd, Brawley, Brown, Cherry, Cover, Cox, Crews, Culpepper, Doughton of Alleghany, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Walker, Flanagan, Galloway, Garibaldi, Garrou, Gattis, Grady, Graeber, Grant, Griffin, Groves, Johnson of Pender, Lee, Lumpkin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Randolph, Rouse, Scarborough,

Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thompson of Beaufort, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Young—65.

The following pair is announced:

Mr. Haynes with Mr. Gardner—were Mr. Gardner present he would vote "no," Mr. Haynes would vote "aye."

The question now recurs upon the passage of the bill on its second reading.

The bill passes its second reading by the following vote, and remains on the Calendar:

Those voting in the affirmative are: Messrs. Aycock of Wake, Aycock of Wayne, Barden, Bean, Binford, Boswell, Bowie, Boyd, Brawley, Brown, Cameron, Cherry, Cover, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Grady, Graeber, Grant, Griffin, Groves, Hoyle, James, Johnson of Pender, Lee, Lumpkin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Pope, Randolph, Rouse, Ruark, Scarborough, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Young—72.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Berryman, Braddy, Brock, Coffey, Cowles, Davis, Eaton, English, Gilliam, Greene, Hamilton, Howell, Ingram, Johnson of Chatham, Martin, Mebane, Monroe, Moye, Phillips, Thompson of Robeson, Turner of Iredell and Woodfin—25.

The following pairs are anounced:

Mr. Sigmon with Mr. Taylor of Halifax—were Mr. Taylor of Halifax present he would vote "no," Mr. Sigmon would vote "aye."

Mr. Ray with Mr. Makepeace—were Mr. Makepeace present he would vote "aye," Mr. Ray would vote "no."

Mr. Everett with Mr. Spruill—were Mr. Spruill present he would vote "aye," Mr. Everett would vote "no."

Mr. Graham with Mr. Froneberger—were Mr. Froneberger present he would vote "aye," Mr. Graham would vote "no."

Mr. Haynes with Mr. Gardner—were Mr. Gardner present he would vote "aye," Mr. Haynes would vote "no."

Mr. Olive with Mr. White—were Mr. White present he would vote "no," Mr. Olive would vote "aye."

On motion of Mr. Eagles, S. B. 405, A bill to be entitled An act to amend chapter 64, Public Laws of 1931, to withdraw Edgecombe County from the operating provision of said Act, is ordered recalled from the Enrolling office for further consideration by the House.

On motion of Mr. Eagles, S. B. 406, A bill to be entitled An act to amend chapter 126, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said Act, is ordered recalled from the Enrolling office for further consideration by the House.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 10, An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

S. B. 175, An act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

S. B. 190, An act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

S. B. 256, An act to amend chapter 2 of Consolidated Statutes of 1919, relating to the adoption of minors.

S. B. 426, An act relating to certain bonds of Henderson County.

S. B. 428, An act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes.

S. B. 452, An act amending chapter 213, Private Laws of 1929, relating to cotton weigher in Raleigh Township, Wake County, North Carolina.

S. B. 466, An act to regulate the sale of milk bottles and containers in Mecklenburg County.

H. B. 80, An act to amend chapter 278 of the Public Laws of 1931 relating to the number of members of the Board of Education of Wilkes County.

S. B. 184, An act to amend chapter 152, Public Laws 1931, relating to the right to perform an autopsy upon the human body.

H. B. 209, An act to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

H. B. 221, An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment.

H. B. 389, An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

H. B. 851, An act to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the Town of Aulander.

H. B. 869, An act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County, by general levy.

H. B. 914, An act to provide for the listing and valuing of all property, real, personal, and mixed, at its true value in money.

H. B. 961, An act to divert such monies of the County of Pasquotank yet remaining under the Game Commission Fund to the General Fund.

H. B. 1011, An act to authorize the Town of Sanford to refund certain outstanding bonds.

H. B. 1033, An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County.

H. B. 1042, An act to extend the jurisdiction of the Mayor of the Town of Hazelwood.

H. B. 1067, An act to regulate the drawing of grand jurors in Halifax County.

H. R. 1153, Joint Resolution to have twenty-five hundred additional copies of House Bill 914, known as "The Machinery Act," printed.

On motion of Mr. Cox, the House adjourns and will meet tomorrow at 11:00 o'clock a.m.

## SEVENTY-EIGHTH DAY

House of Representatives, Tuesday, April 4, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. S. M. Schleifer of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Smith, for the Committee on Regulation of Public Service Corporations:

H. B. 1129, A bill to be entitled An act to repeal chapter 61, Private Laws of 1923, entitled "An act to provide for a commission to operate public utilities supplying water or lights to the citizens of the Town of Graham." With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 1108, A bill to be entitled An act to amend section 3 of chapter 192 of the Public Laws of 1923, relating to reports of foreclosure sales to be made by trustees and mortgagees.

And

H. B. 1160, A bill to be entitled An act to prohibit contracts commonly called "futures" in the buying and selling of stocks, bonds and commodities.

H. B. 948, A bill to be entitled An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

And,

H. B. 502, A bill to be entitled An act creating a lien in favor of hospitals for reasonable charges for treatment of persons suffering personal injuries. And.

H. B. 1085, A bill to be entitled An act to provide corporal punishment for wife beating.

And.

H. B. 418, A bill to be entitled An act to prohibit the institution of an action for the recovery of a deficiency judgment, and to prohibit the entry of a deficiency judgment.

And,

H. B. 1109, A bill to be entitled An act to amend section 765 of the Consolidated Statutes relating to reports of commissioners appointed to sell land.

With unfavorable reports.

And,

H. B. 1107, A bill to be entitled An act to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account. With a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Smith, by request: H. B. 1163, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Williamston.

Referred to the Committee on Calendar.

By Mr. Tompkins: H. B. 1164, A bill entitled An act to amend chapter 177 of the Private Laws of 1889, relating to the Town of Dillsboro.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Howell, by request: H. B. 1165, A bill to be entitled An act to repeal chapter 171, Private Laws of 1923, appointing trustees for School District No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the Clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said Township.

Referred to the Committee on Calendar.

By Messrs. Hoyle, Moore and Turner of Guilford: H. B. 1166, A bill to be entitled An act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband in criminal prosecutions for abandonment, and non-support of children.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 1167, A bill to be entitled An act to dispense with affidavit of six months knowledge of grounds for divorce where such divorce is sought on the grounds of separation.

Referred to the Committee on Judiciary No. 2.

By Mr. Martin: H. B. 1168, A bill to be entitled An act to authorize and empower the City of Asheville to donate water to the Young Women's Christian Association and the Young Men's Christian Association of said City.

On motion of Mr. Martin, the bill is placed on the Calendar.

By Mr. Olive: H. B. 1169, A bill to be entitled An act to amend S. B. 334, ratified on the 27th day of March, 1933, and being entitled "An act to

amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Moore, Boyd and Olive: H. B. 1170, A bill to be entitled An act to amend section 10 and section 13 of chapter 33, Public Laws of 1929.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Massenburg and Bowie: H. B. 1171, A bill to be entitled An act to permit the manufacture of light wine and beer in accordance with the National Prohibition Act, in the State of North Carolina.

Referred to the Committee on Calendar.

By Mr. Pope: H. B. 1172, A bill-to be entitled An act to legalize the probate of corporations taken prior to the first day of January, 1918.

Referred to the Committee on Calendar.

By Mr. Lumpkin: H. B. 1173, A bill to be entitled An act to amend section 4506 of the Consolidated Statutes, defining the punishment of drivers of motor vehicles while intoxicated.

Referred to the Committee on Judiciary No. 1.

By Mr. Scarborough: H. B. 1174, A bill to be entitled An act to repeal section 3792 of the Consolidated Statutes, relative to the operation of road steamers upon the public highways, and to make new provisions therefor.

Referred to the Committee on Calendar.

By Mr. Greer: H. B. 1175, A bill to be entitled An act to change the boundary lines of Blowing Rock and Watauga Township, Watauga County. Referred to the Committee on Counties, Cities and Towns.

And

H. B. 1176, A bill to be entitled An act to authorize the Board of Commissioners of Watauga County, in their discretion, to abolish the Recorder's Court of said County.

Referred to the Committee on Counties, Cities and Towns.

By Messrs. Etheridge and Allen: H. B. 1177, A bill to be entitled An act to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina.

Referred to the Committee on Banks and Banking.

# MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 485, A bill to be entitled An act supplemental to S. B. 175, the same being "A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified on the third day of April, 1933.

Referred to the Committee on Calendar.

S. R. 491, Joint Resolution to provide for the appointment of a commission to study the causes of unemployment, and to analyze the practicability of unemployment insurance as a prevention of the suffering which unemployment causes.

On motion of Mr. Olive, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings, and ordered Enrolled.

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1070, A bill to be entitled An act to appoint trustees for the Sir Walter Raleigh Memorial Fund.

For concurrence in the Senate Amendment.

On motion of Mr. Aycock of Wake, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 391, A bill to be entitled An act to amend the Municipal Finance Act of North Carolina, and more particularly section 2943 of the Consolidated Statutes, as amended.

Referred to the Committee on Calendar.

S. B. 392, A bill to be entitled An act to amend section 2806 of Consolidated Statutes of North Carolina, so as to authorize cities to fix and collect sewerage service charges.

Referred to the Committee on Calendar.

S. B. 479, A bill to be entitled An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the Town of Graham.

Referred to the Committee on Calendar.

S. B. 481, A bill to be entitled An act to amend section 2355 of the Consolidated Statutes, relating to waiver of liens by guardians, executors and/or administrators in favor of the Federal Government.

On motion of Mr. Lumpkin, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

# SPECIAL MESSAGES

Mr. Speaker:

March 31, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. 382, title "To amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds," and asks for conference. For your information the Senate has appointed as its conferees: Senators Dunagan, Waynick and Blackstock.

Respectfully,

LEROY MARTIN,
Principal Clerk.

In complying with the above, the Speaker appoints as conferees on the part of the House: Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton, and the Senate is so notified.

Mr. Speaker:

March 31, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. 381, title "To provide for funding and refunding of debts of local units of government other than counties, cities and towns," and asks for conference. For your information the Senate has appointed as it conferees: Senators Dunagan, Waynick and Blackstock.

Respectfully,

LEROY MARTIN,
Principal Clerk.

In complying with the above, the Speaker appoints as conferees on the part of the House: Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton, and the Senate is so notified.

Mr. Speaker:

March 31, 1933.

It is ordered that a mesage be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to S. B. 383, title "A bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931," and asks for conference. For your information the Senate has appointed as its conferees: Senators Dunagan, Waynick and Blackstock.

Respectfully,

LEROY MARTIN, Principal Clerk.

In complying with the above, the Speaker appoints as conferees on the part of the House: Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton, and the Senate is so notified.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1161, A bill to be entitled An act relating to the payment of township highway bonds in Rutherford County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Mesrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Douglass, Dowtin of

Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

H. B. 1147, A bill to be entitled An act to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the Town of Carolina Beach.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Mesrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Williams, Wilson, Womble, Woodall, Woodfin and Young—102.

Those voting in the negative are: None.

S. B. 367, A bill to be entitled An act to legalize the sale of beers, ales, porter and/or other light wines containing not more than three and two-tenths per cent of alcohol by weight, repeal such Acts or portions of Acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained.

An amendment offered by Mr. Murphy is adopted.

An amendment offered by Mr. Boyd is adopted.

An amendment offered by Mr. Cowles is adopted.

An amendment offered by Mr. Martin is lost.

As amended, the bill passes its third reading by the following vote and is sent to the Senate for concurrence in the House Amendments.

Those voting in the affirmative are: Messrs. Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Boswell, Bowie, Boyd, Brawley, Brown, Cameron, Cherry, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Garibaldi, Garrou, Gatling, Gattis, Grady,

Graeber, Griffin, Groves, Hoyle, James, Johnson of Pender, Lee, Lumpkin, Makepeace, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Pope, Randolph, Rouse, Ruark, Scarborough, Smith, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Young—75.

Those voting in the negative are: Mr. Speaker, Messrs. Arndt, Berryman, Braddy, Brock, Coffey, Cowles, Davis, Eaton, English, Gilliam, Graham, Greene, Howell, Hutchins, Ingram, Johnson of Chatham, Martin, Monroe, Moye, Phillips, Ray, Sigmon, Thompson of Robeson, Tompkins, Turner of Iredell and Woodfin—27.

The following pairs are announced:

Mr. Binford with Mrs. Mebane—were Mrs. Mebane present, she would vote "no," Mr. Binford would vote "aye."

Mr. Everett with Mr. Spruill—were Mr. Spruill present, he would vote "aye," Mr. Everett would vote "no."

Mr. Haynes with Mr. Gardner—were Mr. Gardner present, he would vote "aye," Mr. Haynes would vote "no."

Mr. Olive with Mr. White—were Mr. White present, he would vote "no," Mr. Olive would vote "aye."

#### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration S. B. 333, A bill to be entitled An act to amend the Preamble and the several sections of the Constitution of North Carolina.

Further consideration of the bill is deferred until tomorrow and on motion of Mr. Randolph the House adjourns and will meet tomorrow at tenthirty o'clock a.m.

# SEVENTY-NINTH DAY

House of Representatives, Wednesday, April 5, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative J. W. Gilliam of Alamance County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

COMMUNICATION FROM THE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF NORTH CAROLINA

The following communication is received from the Chief Justice and Associate Justices of the Supreme Court of North Carolina in compliance with Resolution heretofore passed by the General Assembly:

To the General Assembly of North Carolina, Gentlemen:

In compliance with your request contained in Joint Resolution No. 31, copies of which have been transmitted to each of us by the President of

the Senate, and the Speaker of the House of Representatives, as directed by the Resolution, we, the Chief Justice and Associate Justices of the Supreme Court of North Carolina, have inspected, and carefully considered the provisions of Senate Bill No. 320, introduced by Senator A. D. MacLean, and of House Bill No. 879, introduced by Representative Murphy.

You request us further to advise you whether in the opinion of said Chief Justice and Associate Justices, the said bills, either or both of them, set up the Constitutional procedure by which a Convention of the people of this State may be called for the purpose of passing on the proposed amendment of the Constitution of the United States, referred to in said Resolution. We herewith comply with this request.

It is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as individuals, that a Convention called, organized and held under the provisions of Senate Bill No. 320, introduced by Senator MacLean, and now pending in the Senate, if said bill shall be enacted by the General Assembly of North Carolina, would be valid under the provisions of section 1, Article XIII, of the Constitution of North Carolina, and that the action of such Convention upon the proposed Amendment to the Constitution of the United States would be valid and effective for all purposes.

There is a difference of opinion, among the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as to the validity of a Convention in this State as provided for, organized and held under the provisions of House Bill No. 879, introduced by Representative Murphy, and now pending in the House of Representatives, if said bill shall be enacted by the General Assembly, the majority being of opinion that such Convention would not be valid for any purpose, the minority being of a contrary opinion.

It is deemed proper to say that it is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina that the question presented by Joint Resolution No. 31, in its final analysis, is a Federal question, and can be answered only by the Supreme Court of the United States, when properly presented to that Court. Whether or not a proposed Amendment to the Constitution of the United States has been submitted by Congress and ratified in accordance with the provisions of Article V of said Constitution, must necessarily be determined finally by the Supreme Court of the United States.

Notwithstanding this principle, we have deemed it our duty as Chief Justice and Associate Justices of the Supreme Court of this State to comply with the requests of the General Assembly contained in Joint Resolution No. 31.

### Respectfully,

W. P. STACY, Chief Justice.
W. J. Adams, Associate Justice.
HERIOT CLARKSON, Associate Justice.
GEO. W. CONNOR, Associate Justice.
W. J. Brogden, Associate Justice.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Edwards, for the Committee on Courts and Judicial Districts:

H. B. 942, A bill to be entitled An act to amend chapter 348 of Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

With a favorable report.

On motion of Mr. Haynes, the bill is recommitted to the Committee on Counties, Cities and Towns.

By Mr. Hoyle, for the Committee on Judicary No. 2:

H. B. 1016, A bill to be entitled An act to create a utility district and a district utility corporation for the City of Asheville and County of Buncombe and to define the powers, duties and scope thereof.

With unfavorable report as to bill; unfavorable as to substitute with minority report attached to substitute.

By Mr. Gattis, for the Committee on Health:

H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases.

With a favorable report.

By Mr. Moss, for the Committee on Calendar:

S. B. 479, A bill to be entitled An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the Town of Graham.

With unfavorable report.

And.

S. B. 485, A bill to be entitled An act supplemental to S. B. 175, the same being "A bill to be entitled An act to create the office of Treasurer-Tax Collector of Mecklenburg County and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers, ratified on the third day of April, 1933.

And.

H. B. 1163, A bill to be entitled An act, relating to the payment of assessments for street improvements in the Town of Williamston.

And

H. B. 1172, A bill to be entitled An act to legalize the probate of corporations taken prior to the first day of January, 1918.

And,

H. B. 1174, A bill to be entitled An act to repeal section 3792 of the Consolidated Statutes, relative to the operation of road steamers upon the public highways, and to make new provisions therefor.

With favorable reports.

And,

H. B. 1171, A bill to be entitled An act to permit the manufacture of light wine and beer in accordance with the National Prohibition Act in the State of North Carolina.

With a favorable report, as amended.

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 1088, A bill to be entitled An act to amend chapter 149 of the Public Laws of 1927, which chapter is known as the Capital Issues Law, relating to the regulation of the sale of securities within the State of North Carolina.

And.

H. B. 919, A bill to be entitled An act to amend section 220(a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

With unfavorable reports as to bills; favorable as to Committee substitutes. And.

H. B. 1090, A bill to be entitled An act to regulate the functions of banks and bankers.

And.

H. B. 1018, A bill to be entitled An act to make it unlawful for any banking corporation or trust company to engage, either directly or indirectly, in the business of writing fire insurance or any other kind or form of insurance in the State of North Carolina.

With unfavorable reports.

And

H. B. 1154, A bill to be entitled An act to provide for the reorganization of banks in North Carolina.

With a favorable report.

On motion of Mr. Randolph, the bill is made a Special Order for April 6 And.

H. B. 1177, A bill to be entitled An act to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina.

With a favorable report.

By Mr. Graham, for the Committee on Education:

H. B. 1142, A bill to be entitled An act limiting the board of education to a membership of three.

With a favorable report, as amended.

And.

S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County.

With a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Lumpkin, O'Berry and Makepeace: H. R. 1178, Joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to oppose the Black Five-day Week, Six-hour Day Bill now pending in the Congress of the United States.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Thompson of Beaufort: H. B. 1179, A bill to be entitled An act to prevent the introduction and planting in any of the waters of the State of North Carolina what is known as the Japanese, Portuguese or Mongolian oysters.

Passed first reading.

Rules suspended.

'Passes its second and third readings and ordered sent to Senate without Engrossment.

And.

H. B. 1180, A bill to be entitled An act to permit the governing bodies of the various counties, cities, towns and other units, which have funds in failed banks, to accept the bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recovered on account of same.

Referred to the Committee on Finance.

By Dr. Douglass: H. B. 1181, A bill to be entitled An act to amend the official regulations governing the sale of fresh meats in the City of Raleigh and Wake County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Doughton of Alleghany: H. R. 1182, Joint resolution to provide for the printing of Revenue Bill submitted to the General Assembly by the Finance Committee.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sigmon: H. B. 1183, A bill to be entitled An act to provide for, approve and validate tax listing during the month of April, 1933.

Passed first reading.

Rules suspended.

As amended, passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Haynes: H. B. 1184, A bill to be entitled An act relative to damage done by dogs in Surry County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 1185, A bill to be entitled An act to amend the Consolidated Statutes of North Carolina, Section 1443, relating to the Superior Courts of North Carolina.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Howell: H. B. 1186, A bill to be entitled An act to pay burial expenses of Sallie Keener, wife of Ephriam Keener, a Confederate Veteran. Referred to the Committee on Pensions.

By Mr. Hamilton: H. B. 1187, A bill to be entitled An act to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

Referred to the Committee on Commercial Fisheries.

By Mr. Allen: H. B. 1188, A bill to be entitled An act to amend Section 2591 of the Consolidated Statutes, relating to the reopening of judicial and other sales on advance bid.

Referred to the Committee on Judiciary No. 1.

And.

H. B. 1189, A bill to be entitled An act to amend section 93 of the Consolidated Statutes, relating to preference of funeral expenses in the payment of claims against estates of dead persons.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1190, A bill to be entitled An act to amend section 3189 of the Consolidated Statutes, so as to eliminate the necessity of kissing the Bible when taking an oath.

Referred to the Committee on Propositions and Grievances.

By Mr. Hutchins: H. B. 1191, A bill to be entitled An act to authorize, empower and direct the Board of Commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County.

On motion of Mr. Hutchins, the bill is placed on the Calendar.

By Mr. Lumpkin: H. B. 1192, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words "Hyde County."

Referred to the Committee on Calendar.

By Messrs, Brawley and Murphy: H. B. 1193, A bill to be entitled An act to provide for the professional education of qualified members of the Negro race.

Referred to the Committee on Judiciary No. 1.

By Dr. Douglass: H. B. 1194, A bill to be entitled An act to make safe the operation of swimming pools and bathing resorts in North Carolina.

Referred to the Committee on Health.

By Mr. Griffin: H. B. 1195, A bill to be entitled An act supplemental to House bill 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the third day of April, 1933.

Referred to the Committee on Calendar.

By Mr. Massenburg: H. B. 1196, A bill to be entitled An act to fix the term of office of the Mayor and Commissioners of the City of Saluda, and to fix the Mayor's salary.

Placed on the Calendar.

And,

H. B. 1197, A bill to be entitled An act supplemental to H. B. 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931, and establishing the office of Tax Collector and redefining the duties of the Sheriff of Polk County, and fixing his salary."

Placed on the Calendar.

By Mr. Martin: H. B. 1198, A bill to be entitled An act to amend H. B. 221, Session 1933, ratified March 3, 1933, entitled "An act to provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the Board of Law Examiners.

Referred to the Committee on Judiciary No. 1.

By Messrs. Watson, Moss and Eagles: H. B. 1199, A bill to be entitled An act to relieve church property in the Town of Whitakers, in the counties of Edgecombe and Nash from all street or sidewalk paving assessments, when approved by a majority of the voters.

Passed first reading.

Rules suspended.

As amended, passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Aycock of Wake: H. B. 1200, A bill to be entitled An act to provide for the arbitration of labor disputes.

Referred to the Committee on Judiciary No. 1.

By Messrs. Everett and Brawley: H. B. 1201, A bill to be entitled An act to amend section 962 of the Consolidated Statutes, as amended by chapter 15, Public Laws, 1929, by adding another paragraph to said section.

Referred to the Committee on Calendar.

By Mr. Hutchins: H. B. 1202, A bill to be entitled An act to reduce the number of trial jurors.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1203, A bill to be entitled An act to reduce the number of grand jurors. Referred to the Committee on Judiciary No. 1.

By Messrs. James and Haynes: H. B. 1204, A bill to be entitled An act to amend article 12, chapter 110 of the Consolidated Statutes of North Carolina, as amended, so as to regulate the business of funeral directors in the State of North Carolina.

Referred to the Committee on Health.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 98, A bill to be entitled An act to provide for the election and organization of county boards of health.

Referred to the Committee on Calendar.

S. B. 372, A bill to be entitled An act to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers.

Referred to the Committee on Judiciary No. 1.

S. B. 376, A bill to be entitled An act to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina.

Referred to the Committee on Agriculture.

S. B. 398, A bill to be entitled An act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies and prescribing the powers, rights and duties thereof; creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

Referred to the Committee on Public Welfare.

S. B. 492, A bill to be entitled An act to permit the advertisement for sale of beer, lager beer, ale, porter, fruit juices and/or other light wines containing not more than three and two-tenths per cent alcohol by weight.

On motion of Mr. Womble, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. R. 496, Joint resolution directing the Secretary of State to furnish the registers of deeds in the various counties certified copies of S. B. 313, relating to fees for registering Federal crop liens and Federal chattel mortgages.

On motion of Mr. Williams, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 412, A bill to be entitled An act to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes.

Referred to the Committee on Calendar.

S. R. 467, Joint resolution of the Senate and House of Representatives of North Carolina, providing for funding of the deficit now outstanding in North Carolina.

Referred to the Committee on Finance.

Senate Committee substitute for: H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Placed on the Calendar for concurrence in the Senate substitute.

, H. B. 881, A bill to be entitled An act to repeal any and all statutes, laws, and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

Placed on the Calendar for concurrence in the Senate amendments.

#### SECIAL MESSAGE

Mr. Speaker:

April 4, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House amendments to Senate bill 327, title "To authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction," and asks for a conference thereon. For your information, the President has appointed: Senators Clark and Gwyn as conferees on the part of the Senate.

## Respectfully,

LEROY MARTIN,
Principal Clerk.

Pursuant to the above, the Speaker appoints as conferees on the part of the House: Messrs. Eagles, Binford and Edwards, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 871, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County.

On motion of Mr. Thompson of Robeson, the consideration of the bill is postponed indefinitely.

H. B. 1129, A bill to be entitled An act to repeal chapter 61, Private Laws of 1923, entitled "An act to provide for a commission to operate public utilities supplying water or lights to the citizens of the Town of Graham."

Passes its second and third readings, and is ordered sent to the Senare without Engrossment.

H. B. 1168, A bill to be entitled An act to authorize and empower the City of Asheville to donate water to the Young Women's Christian Association and Young Men's Christian Association of said city.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 353, A bill to be entitled An act to repeal chapter 399, Public-Local Laws of 1929, relating to hunting of foxes in Person County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 550, A bill to be entitled An act to provide for the regulation of automobile liability insurance rates.

For concurrence in the Senate amendment.

On motion of Mr. Johnson of Pender, the House fails to concur in the Senate amendment, and a conference is asked for.

The Speaker appoints as conferees on the part of the House: Messrs. Johnson of Pender, Grant and Olive, and the Senate is so notified.

H. B. 737, a bill to be entitled An act to establish a public relief commission for the purpose of receiving and administering public relief funds.

On motion of Mr. Everett, the bill is recommitted to the Committee on Public Welfare.

H. B. 975, A bill to be entitled An act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1002, A bill to be entitled An act to coördinate the activities of State departments in maintenance of the sanitary quality and economic utility of North Carolina water courses.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1107, A bill to be entitled An act to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 115, A bill to be entitled An act to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendments.

S. B. 234, A bill to be entitled An act to amend Consolidated Statutes with reference to restoration to citizenship.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House amendments.

S. B. 363, A bill to be entitled An act to amend section 35, chapter 60, Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

As amended the bill passes its second reading, and remains on the Calendar.

H. B. 1161, A bill to be entitled An act relating to the payment of township highway bonds in Rutherford County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake. Aycock of Wayne, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Everett, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Grant, Greene, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mizzell, Moore, Moss, McEachern, Neal, O'Berry, Phillips, Pope, Ray, Rouse,

Scarborough, Sigmon, Smith, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Woodfin—87.

Those voting in the negative are: None

#### UNFINISHED BUSINESS

The Speaker lays before the House, for its further consideration, S. B. 333, A bill to be entitled An act to amend the preamble and the several sections of the Constitution of North Carolina.

An amendment offered by Mr. Scarborough is lost.

Four amendments offered by Mr. Moss are lost.

The question now recurs upon the passage of the bill, as amended, on its second reading:

As amended, the bill fails to pass its second reading by the following vote, it requiring three-fifths of the total Members voting to pass such bill:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Bean, Beasley, Binford, Brawley, Crews, Doughton of Alleghany, Dowtin of Warren, Etheridge, Flanagan, Froneberger, Garrou, Grady, Graeber, Grant, Griffin, Groves, Howell, Hoyle, James, Johnson of Chatham, Johnson of Pender, Martin, Massenberg, Mizzell, Morphew, Murphy, Neal, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sullivan, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Vann, Warlick, Womble and Woodall—49.

Those voting in the negative are: Messrs. Allen, Arndt, Aycock of Wayne, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cowles, Cox, Davis, Dees, Doublass, Eagles, Eaton, Edwards, Everett, Faulkner, Galloway, Garibaldi, Gatling, Gilliam, Haynes, Hutchins, Ingram, Lee, Lumpkin, Monroe, Moss, Oaks, Sigmon, Taylor of Currituck, Taylor of Mecklenburg, Turner of Iredell, White, Williams and Woodfin—41.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 70, An act to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of the said Commissioners and whether such expenditures were authorized and to amend chapter 48 of the Public Laws of 1927.

S. B. 134, An act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

S. B. 238, An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of

1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department; and to limit the number of motor vehicle inspectors.

S. B. 290, An act to amend the charter of the City of Hickory by providing for the reassessment of street improvement liens, etc.

S. B. 299, An act to validate judgments under which contingent remainders and executory devisees have been partitioned.

S. B. 306, An act to amend sections 6, 7 and 10, chapter 435, of the Public-Local Laws of 1913, relating to the fees of officers of Catawba County.

S. B. 465, An act creating a central board of assessors for Forsyth County.

S. B. 367, An act to legalize the sale of beer, lager beer, ale, porter, and fruit juices containing not more than 3.2 per cent of alcohol by weight; repeal such acts, or portions of acts, as may be inconsistent herewith; to provide a tax on the same, to provide a means of collection, and to provide a penalty for the violation of the provisions herein contained.

S. B. 377, An act to provide for special judges in North Carolina.

S. B. 468, An act to amend Committee substitute for Senate bill 180, so as to regulate the application of its provisions to Scotland County and municipalities therein.

S. B. 481, An act to amend section 2355 of the Consolidated Statutes, relating to waiver of liens by guardians, executors and/or administrators in favor of the Federal Government or its agents.

S. R. 491, Joint resolution to provide for the appointment of a commission to study the causes of unemployment, and to analyze the practicability of unemployment insurance as a preventative of the suffering which unemployment causes.

H. B. 38, An Act to amend chapter 51 of the Private Laws of 1927, being An act entitled "An act to incorporate Charlotte Park and Recreation Commission."

H. B. 736, An act to promote further efficiency in the public schools.

H. B. 863, An act to amend chapter 122, section 29, of the Public Laws of 1927, relative to motor vehicle license.

H. R. 923, A joint resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

H. B. 941, An act to amend chapter 71, Public Laws of 1931, regulating mutual burial associations.

H. B. 1004, An act to appoint delegates to the Second Interstate Legislative Assembly.

H. B. 1013, An act to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

H. B. 1037, An act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the City of Burlington.

H. B. 1043, An act to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a Justice of the Peace in Jackson County.

H. B. 1094, An act validating certain agreements made by the Board of Commissioners of Haywood County, and the Board of Aldermen of the Town of Waynesville, relating to the reorganization of the Citizens Bank and Trust Company of Waynesville, and to authorize further agreements relating thereto.

H. B. 1097, An act to make the license or privilege taxes issued by the City of Rocky Mount conform to the fiscal year of said City.

H. B. 1133, An act to authorize the City Council of the City of Gastonia to extend the time of the payment of special assessments.

H. B. 1146, An act to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the Meter Adjuster of the County of New Hanover.

H. B. 1116, An act supplemental to and amendatory of Senate bill Number 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

H. B. 1152, An act to allow fishing in the streams of Catawba County with trot lines and baskets,

H. B. 1070, An act to appoint trustees for the Sir Walter Raleigh Memorial Fund.

On motion of Mr. Tompkins, H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County, is taken from the Unfavorable Calendar, and placed on the Calendar.

On motion of Mr. Wilson, the House adjourns until eleven o'clock tomorrow.

## EIGHTIETH DAY

House of Representatives, Thursday, April 6, 1933.

The Speaker being absent, the House is called to order by Principal Clerk Thad A. Eure, who calls to the Chair Mr. Gattis, who was designated by Speaker Harris as Speaker *pro tempore*.

Prayer by Dr. F. S. Love of the City of Raleigh.

Mr. Thomas, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## CONFERENCE REPORT

The Conferees appointed for House Bill No. 847, submit the following report:

We recommend that the House concur in the Senate amendment which makes the first paragraph of section 1 of said bill read as follows: "By striking out from section 7 the following sub-paragraphs thereof, to wit: (a), (b), (c), (d), which sub-paragraphs define the jurisdiction of said court, and by inserting in lieu thereof the following:"

We further recommend that the Senate recede from its amendment providing for striking out the word "now," in line three of sub-paragraph

(a), and inserting the word "not," in lieu thereof, so that the said subparagraph will read as originally in said bill.

L. M. Blue,
W. O. Burgin,
Senate Conferees.
J. R. Young,
Julius Dees,
Hubert E. Olive,
House Conferees.

Session

On motion of Mr. Olive, the report is adopted, and the Senate is so notified to the end that when a similar report is adopted by that body the bill may be ordered Enrolled.

#### CONFERENCE REPORT

To the Senate and the House of Representatives:

We, the undersigned Conferees appointed by the Senate and by the House of Representatives to consider the differences arising over House bill 233, respectfully submit the following report and recommend:

That the Senate recede from the amendment adopted by it to the above mentioned original bill.

Respectfully submitted,

W. R. Francis,
S. Gilmer Sparger,
Conferees on the Part of the Senate.
C. W. Allen,
Tipton S. Greene,
Julius C. Martin,
Conferees on the Part of the House.

On motion of Mr. Greene, the report is adopted, and the Senate is so notified to the end that when a similar report is adopted by that body the bill may be ordered Enrolled.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Sigmon, for the Committee on Insane Asylums:

S. B. 404, A bill to be entitled An act to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.

With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 567, A bill to be entitled An act to amend section 4585 of the Consolidated Statutes so as to require Clerks of Superior Court to docket judgments nisi upon recognizances being forfeited.

And,

H. B. 642, A bill to be entitled An act to require Clerks of Superior Courts to order guardians and/or trustees to render sufficient and satisfactory accounts.

And.

H. B. 644, A bill to be entitled An act to regulate appeals in civil cases from Justice of Peace Courts.

And,

H. B. 850, A bill to be entitled An act for the relief of debtors in the State of North Carolina and to regulate procedure in actions for deficiency judgments.

And,

H. B. 646, A bill to be entitled An act to authorize Clerks of Superior Courts to accept the resignations of administrators, executors and collectors in certain cases.

And,

H. B. 1188, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes relating to the reopening of judicial and other sales on advance bid.

And,

H. B. 647, A bill to be entitled An act to reguate the sale of real property by executors, administrators or commissioners in any judicial or special proceeding.

And,

H. B. 949, A bill to be entitled An act to repeal chapter 19, Public Laws of 1929, relating to a director of public trust contracting for his own benefit. And,

H. B. 1202, A bill to be entitled An act to reduce the number of trial jurors. With unfavorable reports.

And.

H. B. 1198, A bill to be entitled An act to amend H. B. 221, Session 1933, ratified March 3, 1933, entitled, "An act to provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the Board of Law Examiners.

And.

H. B. 1193, A bill to be entitled An act to provide for the professional education of qualified members of the Negro race.

And,

H. B. 1173, A bill to be entitled An act to amend Section 4506 of the Consolidated Statutes defining the punishment of drivers of motor vehicles while intoxicated.

And.

H. B. 1189, A bill to be entitled An act to amend section 93 of the Consolidated Statutes relating to preference of funeral expenses in the payment of claims against estates of dead persons.

With favorable reports.

And.

H. B. 1158, A bill to be entitled An act to raise revenue by levying a tax on filling stations and chain filling stations.

The Committee recommends that this bill be recommitted to the Committee on Finance.

It is so ordered.

By Mr. Doughton, for the Committee on Finance:

H. B. 1118, A bill to be entitled An act to regulate the distribution and sale of oleomargarine and other butter substitutes in North Carolina and impose an inspection and excise fee of five cents per pound on same.

And,

H. B. 1180, A bill to be entitled An act to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns, or units in settlement of the claims for said funds or any judgment recovered on account of same.

With unfavorable reports.

And,

H. B. 1128, A bill to be entitled An act to amend section 130, chapter 427, Public Laws 1931, relating to tax on slot machines.

And.

S. B. 433, A bill to be entitled An act to validate chapter 180, Public Laws 1925, and all amendments thereto and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter relating to the assumption of school district debt by counties.

And.

S. R. 467, A joint resolution of the Senate and House of Representatives of North Carolina providing for funding of the deficit now outstanding in North Carolina.

And,

H. B. 1162, A bill to be entitled An act to authorize the issuance of scrip by Beaufort County.

With favorable reports.

By Mr. Etheridge, for the Committee on Banks and Banking:

S. B. 400, A bill to be entitled An act to require the Commissioner of Banks to file quarterly in the office of the Clerk of the Superior Court of every county in the State the names of attorneys and accountants employed by said Commissioner, the nature of their employment and a statement showing fees paid said attorneys and accountants in connection with the liquidation of banks located in that county.

And,

H. B. 517, A bill to be entitled An act to allow persons having deposits in closed banks to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

And.

H. B. 887, A bill to be entitled An act to declare a moratorium for two years on sales under execution against stockholders in closed state banks in North Carolina.

And.

H. B. 921, A bill to be entitled An act to amend section 220 (c), Consolidated Statutes, 1919, Volume III, as amended, so as to limit the investment by banking corporations in stocks of other corporations.

With unfavorable reports.

And,

H. B. 892, A bill to be entitled An act to regulate the business of making small loans.

With unfavorable report with a minority report attached.

By Mr. Makepeace, for the Committee on Game:

H. B. 134, A bill to be entitled An act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County.

. With a favorable report.

## ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1107, A bill to be entitled An act to amend section 2187 of the Consolidated Statutes relating to the procedure to compel guardians to account. (Also amend chapter 9, section 2, Public Laws, 1929.)

H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws of 1912, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Taylor of Currituck: H. B. 1205, A bill to be entiled An act to amend section 1891 of the Consolidated Statutes as amended by chapter 168, Public Laws of 1925, relating to licenses for tyke nets and motor boats.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Womble: H. B. 1206, A bill to be entitled An act to place Mrs. Sallie Ennis on the Confederate Pension Roll.

Referred to the Committee on Pensions.

By Mr. Hamilton: H. B. 1207, A bill to be entitled An act to define the boundaries of Morehead City harbor, to provide for the appointment of a harbor master and pilots, and to regulate pilotage fees.

Placed on the Calendar.

By Mr. Morphew: H. B. 1208, A bill to be entitled An act to amend section 5960 of the Consolidated Statutes relating to absentee voting.

Referred to the Committee on Election Laws.

By Messrs. Tompkins, Makepeace and Howell: H. B. 1209, A bill to be entitled An act to protect fishing and hunting in North Carolina.

Referred to the Committee on Calendar.

By Mr. Smith: H. B. 1210, A bill to be entitled An act to amend the Machinery Act of 1933, it being H. B. No. 914, and entitled "An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1211, A bill to be entitled An act to change the incorporated boundaries of the Town of Whiteville, in Columbus County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Braddy: H. B. 1212, A bill to be entitled An act to define the boundaries of Kelly Cemetery, Abbott's Township, Bladen County, and to appoint trustees for said cemetery.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Coffey: H. B. 1213, A bill to be entitled An act to validate sales of real estate for taxes in Caldwell County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Coffey: H. B. 1214, A bill to be entitled An act to increase the number of the members of the Board of Education in Caldwell County. Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Dees, by request: H. B. 1215, A bill to be entitled An act governing the nomination and election of County Commissioners of Pamlico County. Referred to the Committee on Counties, Cities and Towns.

By Mr. Hutchins: H. B. 1216, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes as amended by chapter 207, Public Laws of 1927, and chapter 173, Public Laws of 1929, relating to terms of court for Rutherford and Yancey counties.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Cover: H. B. 1217, A bill to be entitled An act to amend the Fishing Laws as to Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Coffey: H. B. 1218, A bill to be entitled An act to create the Daniel Boone National Forest Park and to provide for coöperation by the

State of North Carolina with the Federal Government in the reforestation of the Tennessee River Basin in Western North Carolina.

Placed on the Calendar.

By Mr. Thompson of Beaufort: H. B. 1219, A bill to be entitled An act to create and appoint a Board of Trustees for the Aurora Graded School District, in Beaufort County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Johnson of Pender: H. B. 1220, A bill to be entitled An act to amend the Machinery Act of the General Assembly of North Carolina, Session 1933, ratified April 3, 1933.

Placed on the Calendar.

By Mr. Hamilton: H. B. 1221, A bill to be entitled An act to extend the period for commencement of action of certain evidences of indebtedness of Carteret County.

Placed on the Calendar.

By Mr. Allen: H. B. 1222, A bill to be entitled An act to amend chapter 282, Public-Local Laws, Session 1919, relating to foxes in Granville County. Placed on the Calendar.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 393, A bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina relating to municipal light and water plants.

Referred to the Committee on Judiciary No. 2.

S. B. 396, A bill to be entitled An act to amend the North Carolina Game Law.

Referred to the Committee on Game.

S. B. 425, A bill to be entitled An act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.

Referred to the Committee on Education.

S. B. 456, A bill to be entitled An act relating to the collection of the amount due the Town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

Referred to the Committee on Finance.

S. B. 457, A bill to be entitled An act to prevent the misbranding of milk or cream.

Referred to the Committee on Health.

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

Referred to the Committee on Game.

S. B. 502, A bill to be entitled An act to regulate the duties of the Sheriff of Wilson County and to transfer the duties of Tax Collector to the County Accountant.

Referred to the Committee on Counties, Cities and Towns.

S. B. 503, A bill to be entitled An act to amend chapter 174, Public Laws 1905, so as to decrease the number of trustees of Morganton Graded School, and to provide for the election of their successors by the people.

On motion of Mr. Garrou, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

S. B. 508, A bill to be entitled An act to amend chapter 44 of the Private Laws of North Carolina, 1907, relating to the charter of the Town of Garland, Sampson County, so that the officers of said Town shall be elected biennially instead of annually.

Referred to the Committee on Counties, Cities and Towns.

S. B. 497, A bill to be entitled An act supplemental to and amendatory of H. B. 914, known as the Machinery Bill, ratified April 3, 1933.

On motion of Mr. Gilliam the bill is placed on the Calendar.

On motion of Mr. Gilliam, the bill is made a Special Order for Tuesday, April 11.

S. B. 498, A bill to be entitled An act to amend section 5 of chapter 314, of the Private Laws of North Carolina, 1909, relating to the election of the Mayor of the Town of Tarboro, Edgecombe County.

Referred to the Committee on Counties, Cities and Towns.

S. R. 500, Joint resolution commending Walter Murphy to the new National Administration.

On motion of Mr. Everett, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

## SPECIAL MESSAGES

SENATE CHAMBER, April 6, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conferees' report on H. B. 847, title, "To amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township, so as to increase the jurisdiction of said court," to the end that you may order the bill Enrolled if similar action is taken by your body.

Respectfully.

LEROY MARTIN,
Clerk of Senate.

The House having adopted a similar report and upon receipt of the above information, the bill is ordered Enrolled.

SENATE CHAMBER, April 6, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conferees' Report on H. B. 233, title, "To amend chapter 53 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and

the salaries of the Sheriff and Treasurer-Tax Collector of said county," to the end that you may order the bill Enrolled if similar action is taken by your body.

## Respectfully,

LEROY MARTIN, Clerk of Senate.

The House having adopted a similar report, and upon receipt of the above information, the bill is ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1016, A bill to be entitled An act to create a Public Utility District, and a District Utility Corporation for the City of Asheville and County of Buncombe, and to define the powers, duties and scope thereof.

A minority report having been filed with the substitute, the question recurs upon the adoption of said report.

Upon this Mr. Sullivan calls for the ayes and noes.

The call is sustained and the minority report is adopted by the following vote, and the bill and substitute remain on the Calendar with the question being the adoption of the substitute:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Beasley, Berryman, Boswell, Braddy, Brown, Cherry, Cover, Culpepper, Davis, Douglass, Eagles, Eaton, Edwards, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Graeber, Grant, Griffin, Groves, Haynes, Hoyle, Ingram, Mizzell, Moore, Morphew, Moye, McLauchlin, Oaks, Olive, Randolph, Scarborough, Sigmon, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Watson and Woodfin—48.

Those voting in the negative are: Messrs. Aycock of Wake, Barden, Bender, Binford, Coffey, Cox, Crews, Doughton of Alleghany, English, Everett, Gatling, Grady, Graham, Hamilton, Hutchins, Johnson of Chatham, Martin, Massenburg, Monroe, Moss, Murphy, Neal, O'Berry, Pope, Ray, Rouse, Stevens, Tatem, Turner of Guilford, Williams, Wilson, Womble and Woodall—33.

The following pair is announced: Mr. Vann with Mr. Boyd—were Mr. Vann present, he would vote "aye," Mr. Boyd would vote "no."

The following member votes present: Mr. Thompson of Robeson.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 258, An act to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

S. B. 353, An act to repeal chapter 399, Public-Local Laws 1929, relating to hunting of foxes in Person County.

S. B. 492, An act to permit the advertisement for sale of beer, lager beer, ale, porter, fruit juices and/or other light wines containing not more than 3.2 per cent alcohol by weight.

- S. R. 496, A Joint Resolution directing the Secretary of State to furnish the registers of deeds in the various counties certified copies of Senate Bill 313 relating to fees for registering Federal crop liens and Federal chattel mortgages.
- H. B. 477, An act to amend section 3401 of the Consolidated Statutes as amending so as to reduce the fee paid for capturing stills in Warren County.
- H. B. 566, An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.
- H. B. 908, An act to extend the powers of the police officers of the various incorporated towns in Rutherford County.
- H. B. 1014, An act to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk counties.
- H. B. 1021, An act to amend chapter 53 of the Public Laws of 1927, being An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina.
- H. B. 1115, An act to amend House Bill No. 376, Public-Local Laws of 1933, relating to constable fees in Union County.
- H. B. 1138, An act to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the Sixth Judicial District.
- H. B. 1179, An act to prevent the introduction and planting in any of the waters of the State of North Carolina what is known as Japanese, Portuguese or Mongolian oysters.

On motion of Mr. Everett, the vote by which S. B. 333, A bill to be entitled An act to amend the Preamble and the several sections of the Constitution of North Carolina, failed to pass its second reading is reconsidered and the bill is placed on the Calendar for its further consideration.

On motion of Mr. Murphy, the House takes a recess until 4 o'clock this afternoon.

## AFTERNOON SESSION

House of Representatives, Thursday Afternoon, April 6, 1933.

The House meets pursuant to its recess and resumes consideration of its business. Speaker pro tempore Gattis presiding.

Leave of absence is granted to: Mr. Thompson of Beaufort,

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar Committee:

H. B. 1159, A bill to be entitled An act relating to building inspection fees in Lenoir County.

And,

H. B. 1192, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County.

And.

H. B. 1201, A bill to be entitled An act to amend section 962 of the Consolidated Statutes, as amended by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section.

With favorable reports.

And,

H. B. 1209, A bill to be entitled An act to protect fishing and hunting in North Carolina.

And.

S. B. 412, A bill to be entitled An act to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes.

And.

H. B. 1195, A bill to be entitled An act supplemental to H. B. 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County," ratified on the third day of April, 1933.

With favorable reports, as amended.

And,

S. B. 98, A bill to be entitled An act to provide for the election and organization of county boards of health.

With unfavorable report.

By Mr. Cherry, for the Committee on Roads:

H. B. 1144, A bill to be entitled An act to amend section 16(a), chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers license tags.

With a favorable report.

## CONFERENCE REPORT

The Conferees on H. B. 125, "Appropriation Bill," makes the following report:

REPORT OF THE CONFERENCE COMMITTEE ON THE APPROPRIATION BILL FOR THE BIENNIUM 1933-35

To the President of the Senate and the Speaker of the House of Representatives:

The undersigned Conferees do hereby report that they have agreed upon a Conference Report and recommend to the Senate and the House of Representatives the adoption of the following:

1934-35

1933-34

2,430

2,430

## CONFERENCE REPORT

## General Fund

## II. Judicial

## III. Executive and Administrative

It is recommended that the Senate and the House make the following appropriations for each year of the hiernium to wit:

21. Department of Agriculture, for Weights and
Measures

of the biennium, to wit:			
Governor's Office:			
(1) Governor's Office\$	20,100	\$	20,100
(2) The Budget Bureau	21,950		25,000
(3) Division of Purchase and Contract	17,330		17,330
Secretary of State	10,525		10,525
State Auditor	24,140		24,140
State Treasurer	20,760		20,760
Attorney General	18,445		19,195
Department of Revenue	133,850		133,850
Department of Public Instruction	56,910		56,910
Historical Commission	13,050		10,905
State Library (	4,530		4,570
Library Commission	9,685		9,685
Board of Charities and Public Welfare	28,360		28,360
State Board of Health	215,310		215,310
Adjutant General	60,350		60,350
Corporation Commission	25,060		22,090
Insurance Department	51,310		51,310
Department of Labor:			
(1) Department of Labor	28,625		28,625
(2) Industrial Commission	21,150		21,150
It is further recommended that the explanatory			
paragraph under this item in the House Bill be			
stricken out.			
Department of Conservation and Defelopment	29,645		29,645
State Board of Elections	5,655		6,655
Local Government Commission	28,560		28,560
Department of Agriculture, for Gasoline and Oil			
Inspection	15,660		15,660
	Governor's Office:  (1) Governor's Office	Governor's Office:         (1) Governor's Office         \$ 20,100           (2) The Budget Bureau         21,950           (3) Division of Purchase and Contract         17,330           Secretary of State         10,525           State Auditor         24,140           State Treasurer         20,760           Attorney General         18,445           Department of Revenue         133,850           Department of Public Instruction         56,910           Historical Commission         13,050           State Library         4,530           Library Commission         9,685           Board of Charities and Public Welfare         28,360           State Board of Health         215,310           Adjutant General         60,350           Corporation Commission         25,060           Insurance Department         51,310           Department of Labor:         (1) Department of Labor:           (2) Industrial Commission         28,625           (2) Industrial Commission         21,150           It is further recommended that the explanatory paragraph under this item in the House Bill be stricken out.         5,655           Local Government Commission         28,560           Department of Agriculture, for Gasoline and Oil <td>Governor's Office:         (1) Governor's Office         \$ 20,100 \$           (2) The Budget Bureau         21,950           (3) Division of Purchase and Contract         17,330           Secretary of State         10,525           State Auditor         24,140           State Treasurer         20,760           Attorney General         18,445           Department of Revenue         133,850           Department of Public Instruction         56,910           Historical Commission         13,050           State Library         4,530           Library Commission         9,685           Board of Charities and Public Welfare         28,360           State Board of Health         215,310           Adjutant General         60,350           Corporation Commission         25,060           Insurance Department         51,310           Department of Labor:         28,625           (2) Industrial Commission         21,150           It is further recommended that the explanatory paragraph under this item in the House Bill be stricken out.         29,645           Department of Conservation and Defelopment         29,645           State Board of Elections         5,655           Local Government Commission         28,560     &lt;</td>	Governor's Office:         (1) Governor's Office         \$ 20,100 \$           (2) The Budget Bureau         21,950           (3) Division of Purchase and Contract         17,330           Secretary of State         10,525           State Auditor         24,140           State Treasurer         20,760           Attorney General         18,445           Department of Revenue         133,850           Department of Public Instruction         56,910           Historical Commission         13,050           State Library         4,530           Library Commission         9,685           Board of Charities and Public Welfare         28,360           State Board of Health         215,310           Adjutant General         60,350           Corporation Commission         25,060           Insurance Department         51,310           Department of Labor:         28,625           (2) Industrial Commission         21,150           It is further recommended that the explanatory paragraph under this item in the House Bill be stricken out.         29,645           Department of Conservation and Defelopment         29,645           State Board of Elections         5,655           Local Government Commission         28,560     <

	1933-34	1934-35
22. Board of Public Buildings and Grounds:		
(1) Public Buildings and Grounds\$	65,870	\$ 65,870
(2) Governor's Mansion	6,910	6,910
IV. Educational Institutions		
1. University of North Carolina (Consolidated)		
It is recommended that the House adopt the		Value of the same
Senate appropriation of\$	832,240	\$ 832,240
The \$72,000 increase appropriated by the Senate		
was for laboratory equipment and upkeep ex-		
penses which had depreciated during the last two		
years. 6. Appalachian State Teachers' College		
It is recommended that the Senate and House		
appropriate	52,550	52,550
appropriate	92,990	32,330
V. Charitable and Correctional Institu	utions	
3. State Hospital at Goldsboro		
It is recommended that the House adopt the		
Senate appropriation of \$	150,000	\$ 150,000
13. North Carolina Soldiers' Home		
It is recommended that the House adopt the		
Senate appropriation of	16,000	12,000
ted that the Sameter and Ments		
VI. State Aid and Obligations		
1. Board of Charities and Public Welfare:		
(1) Mothers' Aid		
It is recommended that the House adopt the	CONTRACTOR	NEX HUMBER
Senate appropriation of \$\text{Senate}\$	32,500	\$ 32,500
(2) Care of Dependent Children		
It is recommended that the House adopt the	2 000	2.000
Senate appropriation of	3,000	3,000
2. Board of Health for Orthopedic Clinics		
It is recommended that the eHouse adopt the Senate appropriation	4,800	4,800
3. State Board of Vocational Education for Voca-	4,000	4,000
tional Education		
It is recommended that the Senate and House		
appropriate	90,000	90,000
4. State Board Vocational Education for Industrial	20,000	00,000
Rehabilitation		
It is recommended that the House adopt the		
Senate appropriation of	7,200	7,200
		Fourt on pane
IX. Public Schools		
It is recommended that the House adopt the		
Senate appropriation of	16,000,000	\$16,000,000
(For a State-wide eight months public school		
in place of the present six months and extended		
90		

1933-34

1934-35

terms and for this appropriation no ad valorem taxes shall be assessed or levied.)

## X. Debt Service (General Fund)

## 1. Interest on Bonds

It is recommended that the House adopt the Senate appropriation of \$2,787,705 (This was a clerical error for the 1933-34

# appropriation bill as passed by the House.) Agriculture Fund

## XI. Agriculture

It is recommended that the Senate and House make the following Appropriations for each year of the biennium, to wit:

1. Department of Agriculture	\$ 189,850	\$ 189,850
3. State College:		
(1) Experiment Station	26,350	26,350
(2) Seed Improvement	4,550	4,550

## Highway Fund

## XII. Highways

It is recommended that the Senate and House make the following appropriations for each year of the biennium, to wit:

1. Highway Commission Administration\$	113,650	\$ 113,650
2. Motor Vehicle Bureau and Highway Patrol	379,100	379,100
3. Maintenance State Highways	1,680,000	1,680,000
4. Maintenance County Highways	4,320,000	4,320,000
5. Repayment County Loans	511,800	509,650
6. Construction State Highways	190,000	

7. It is recommended that subsection 7, as passed by the House, be stricken out and the following inserted in lieu thereof:

"(The appropriations to the Motor Vehicle Bureau and Highway Patrol under title XII-2 include \$32,000 for each year to be transferred or paid to the Department of Revenue for General administration and supervision.)"

## Transfer from the Highway Fund to the General Fund

It is recommended that the following be substituted in lieu of Section Four as passed by the House to wit:

Sec. 4. The State Highway Commission is established on a self-supporting basis through the levy of motor vehicle licenses and taxes, but being a part of the State Government, to be fully self-supporting, it should contribute reasonably to the cost of general government; there is preëmpted to it certain sources of revenue to which general government is

denied, but the funded debt obligations of the State Highway Commission are also obligations of the State itself.

Under this assumption, it is deemed that one millon dollars a year would be a reasonable contribution by the Highway Fund to the debt service cost of general government, and there is hereby appropriated out of the surplus, if any, of the Highway Fund for transfer to and use by the General Fund for debt service, or for any existing deficit, the sum of one million dollars for the fiscal year ending June thirtieth, nineteen hundred thirty-four, and the sum of one million dollars for the fiscal year ending June thirtieth, nineteen hundred thirty-five:

Provided, these sums shall not be available unless and until full provision is made for the expense of collecting Highway revenues, for the administration of the Highway Commission, for the service of the Highway Debt, and for maintenance of the State and County Highways (as set out under titles XII and XIII of Section Three of this act), and there then remains a sufficient balance or surplus in the State Highway Fund.

## Reducing Salaries and Wages

It is recommended that Section Five as passed by the House be stricken out and the following substituted in lieu thereof, to wit:

- Sec. 5. The costs of all salaries and wages to be paid out of or under the appropriations made in sections one, two and three of this act, or to be paid out of any expendable receipts, to officers, employees and agents of the State, or of any of its departments, bureaus, institutions and agencies, are hereby reduced to not more than such sums as are provided under the appropriations to the several departments, bureaus, institutions and agencies for each of the fiscal years nineteen hundred and thirty-three to thirty-four and nineteen hundred thirty-four to thirty-five:
- (a) It is the intention to reduce the costs of all such salaries and wages under the appropriations, and/or expendable receipts, under titles II Supreme Court Departmental Expense, III Executive and Administrative and VI State Aid and Obligations, of section one; under title XI Agriculture, of section two; and under title XII Highways, of section three, by at least thirty-eight per cent (38%) of the salaries, wages and rates that would have been in effect July first, nineteen hundred thirty, taking into consideration changes in organization, staff requirements and such other factors as might have changed the basis;
- (b) It is the intention to reduce the costs of all such salaries and wages under the appropriations, and/or expendable receipts, under titles IV Educational Institutions and V Charitable and Correctional Institutions, of section one, by at least thirty-two per cent (32%) of the salaries, wages and rates that would have been in effect July first, nineteen hundred thirty, taking into consideration changes in organization, staff requirements and such other factors as might have changed the basis;
- (c) Within the amounts provided and the intentions expressed in subsections (a) and (b), the assistant director of the budget for the departments, bureaus and other agencies coming within the Personal Act (Chapter 277 of the Public Laws of 1931) and the several boards or commissions for the institutions, and certain officers of departments as are so governed,

shall reduce and adjust the salaries and wages of all officers, employees and agents under their respective jurisdictions.

- (d) It is the intention to reduce the costs of all salaries and wages under appropriations under title IX Public Schools, of section one, by at least thirty-five per cent (35%) as concerning superintendents, of the salaries, wages and rates in effect the present scholastic year, nineteen hundred thirty-two and thirty-three; by at least thirty-five per cent (35%) as concerning principals and by at least thirty per cent (30%) as concerning teachers and all other employees, of the salaries, wages and rates that would have been in effect July first, nineteen hundred thirty. The reductions and adjustments shall be effected by the State Board of Equalization, or by such other body as may succeed in its place, in the allocation of the appropriations.
- Sec. 6. It is recommended that the House adopt the Senate appropriations under Section 6 as follows:
- Sec. 6. The salaries of certain officers now fixed by statute shall be reduced and fixed at rates per annum as shown in the following schedule:

State Librarian\$3	1,800
Adjutant General	3,825
Chairman, Corporation Commission.	4,250
Corporation Commissioner and ex officio Secureties Commissioner	4,500
Corporation Commissioner	3,825

This section does not include officers whose salaries are fixed by statute either originally or in reduced sums at this session of the General Assembly. Sec. 7. It is recommended that the House adopt the Senate amendment to Section 7 as follows:

Fees or compensation to be paid to members of boards or commissions for attendance out of or under the appropriations made in section one, two and three of this act shall be reduced and fixed at rates per diem as shown in the following schedule:

Advisory Budget Commission, \$7.00 and necessary travel expenses.

State Board of Equalization, \$7.00 and necessary travel expenses.

Highway Commission, \$7.00 and necessary travel expenses.

All other boards and commissions, including those governing the institutions, but not including such as its members are now serving without compensation—\$3.50 per day and five cents per mile of travel going and returning, in lieu of per diem and travel expenses.

## General Provisions

- Sec. 8. It is recommended that Section 8 of the House Bill be stricken out and the following inserted in lieu thereof as:
- Sec. 8. Allowances out of or under the appropriations made in section one, two and three of this act for travel expenses cover only ordinary field and occasional travel in connection with the work of the department, institution, or agency, and shall be so limited, unless provision is made through a travel authorization by the Director of the Budget for convention, conference, or out-of-State travel. Allowances shall not be made in excess of the following: For subsistence—hotel and meals—in towns of less than

10,000 population, \$3.00 per day; over 10,000 and less than 20,000, \$3.50 per day; over 20,000, \$4.00 per day; for convention, conference, or out-of-State, when authorized, \$6.00 per day; for transportation, using personally owned automobile, five cents per mile of travel.

Sec. 9. It is recommended that the Senate adopt Section 9 as passed by the House.

## Special Provisions

Sec. 10. It is recommended that the Senate adopt Section 10 as passed by the House.

Sec. 11. It is recommended that the Senate adopt Section 11 as passed by the House.

Sec. 12. It is recommended that the Senate adopt Section 12 as passed by the House.

Sec. 13. It is recommended that the Senate adopt Section 13 as passed by the House.

Sec. 14. It is recommended that the Senate adopt Section 14 as passed by the House.

Sec. 15. It is recommended that the Senate adopt Section 15 as passed by the House.

Sec. 16. It is recommended that Section 16 of the House Bill be stricken out.

Sec. 17. It is recommended that Section 17 of the House Bill be stricken out and the following inserted in lieu thereof as:

Sec. 16. The appropriations for Pensions to Confederate Veterans and Widows under title VII-1, Section 1, of this act shall be apportioned by the State Auditor. The apportionment shall be made by dividing the appropriation for each year into two estimated parts, one to pay the pensions due on the fifteenth day of December and the second to pay the pensions due on the fifteenth day of June; each part shall be apportioned among the Confederate veterans and widows of Confederate veterans listed on the pension rolls according to their various classes at each respective date. Colored laborers and servants now drawing pensions, as well as any others who may hereafter become entitled to such pensions, shall be paid out of the same appropriation and included in like manner in the apportionment. The amounts of all pension warrants returned unaccomplished because of the death of the pensioner or otherwise, or that there is no one entitled to receive the same, shall lapse and revert to the General Fund and become applicable to other appropriations for the biennium.

Sec. 18. It is recommended that Section 18 of the House Bill be adopted as Section 17 of the Conference Committee Bill.

Sec. 19. It is recommended that Section 19 of the House Bill be adopted as Section 18 of the Conference Committee Bill.

## Deficiencies

Sec. 20. It is recommended that Section 20 of the House Bill be adopted as Section 19 of the Conference Committee Bill.

Sec. 21. It is recommended that Section 21 of the House Bill be adopted as Section 20 of the Conference Committee Bill.

## Effective

Sec. 22. It is recommended that Section 22 of the House Bill be adopted as Section 21 of the Conference Committee Bill.

Sec. 23. It is recommended that Section 23 of the House Bill be adopted as Section 22 of the Conference Committee Bill.

Sec. 24. It is recommended that Section 24 of the House Bill be adopted as Section 23 of the Conference Committee Bill.

All of which is respectfully submitted this the 5th day of April, 1933.

HAYDEN CLEMENT, A. D. MACLEAN, DUDLEY BAGLEY,

Conferees on the Part of the Senate.

HARRISS NEWMAN,
G. A. BARDEN,
J. C. MOYE,
ERNEST GRAHAM,
R. T. GREER,
R. G. CHERRY,

Conferees on the Part of the House.

The last two signed with reservations as to the eight-months school.

Mr. Newman, Chairman of the Appropriation Committee moves that the
Conference Report be adopted.

Upon this, Mr. Gardner calls for the "ayes" and "noes." The call is sustained, and the Conference Report is adopted by the following vote.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Bender, Cameron, Cox, Crews, Culpepper, Davis, Dees, Etheridge, Everett, Flanagan, Gatling, Gattis, Grady, Graham, Griffin, Howell, James, Johnson of Chatham, Lumpkin, Martin, Mizzell, Morphew, Moss, Moye, Murphy, McEachern, Newman, Oaks, O'Berry, Phillips, Randolph, Ray, Rouse, Ruark, Smith, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Warlick, Watson, White, Womble and Woodall—51.

Those voting in the negative are: Messrs. Allen, Bean, Berryman, Brawley, Brock, Brown, Cherry, Coffey, Cowles, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Falkner, Froneberger, Gardner, Garibaldi, Graeber, Grant, Greer, Groves, Haynes, Hoyle, Ingram, Monroe, Moore, McLauchlin, Olive, Scarborough, Sigmon, Sprinkle, Sullivan, Taylor of Mecklenburg, Thomas, Turner of Iredell, Williams and Woodfin—40.

The following pairs were announced:

Mr. Binford with Mrs. Mebane—were Mrs. Mebane present, she would vote "aye," Mr. Binford would vote "no."

Mr. Boyd with Mr. Massenburg—were Mr. Massenburg present, he would vote "aye," Mr. Boyd would vote "no."

Mr. Garrou with Mr. Lee—were Mr. Lee present, he would vote "aye," Mr. Garrou would vote "no."

Mr. Gilliam with Mr. Ledford—were Mr. Ledford present, he would vote "no," Mr. Gilliam would vote "aye."

Mr. Hamilton with Mr. Neal—were Mr. Neal present, he would vote "no," Mr. Hamilton would vote "aye."

Mr. Pope with Mr. Bowie—were Mr. Bowie present, he would vote "no," Mr. Pope would vote "aye."

Mr. Stevens with Mr. Makepeace—were Mr. Makepeace present,, he would vote 'no," Mr. Stevens would vote "aye."

Mr. Tatem with Mr. Turner of Guilford—were Mr. Turner of Guilford present, he would vote "aye," Mr. Tatem would vote "no."

Member answering "present," Mr. Harris.

Mr. Everett makes a motion that the vote by which the Conference Report was adopted be reconsidered and that motion be laid on the Table.

It is so ordered.

On motion of Mr. Everett, the House adjourns in honor of the birthday of Mrs. Doughton, mother of Representative Doughton, who celebrates her ninety-fourth birthday today, and will meet tomorrow at eleven o'clock.

## EIGHTY-FIRST DAY

House of Representatives, Friday, April 7, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. H. A. Cox of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 1123, A bill to be entitled An act to amend chapter 249 Public Laws 1931, relating to the extension of special assessments.

And,

H. B. 1046, A bill to be entitled An act to amend section 2776(s) of the Consolidated Statutes of North Carolina relating to zoning of certain properties.

And,

S. B. 502, A bill to be entitled An act to regulate the duties of the Sheriff of Wilson County and to transfer the duties of Tax Collector to the County Accountant.

And.

S. B. 439, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County into two classes.

And.

H. B. 1175, A bill to be entitled An act to change the boundary lines of Blowing Rock and Watauga townships, Watauga County.

And,

H. B. 1176, A bill to be entitled An act to authorize the Board of Commissioners of Watauga County, in their discretion, to abolish the Recorder's Court of said County.

And,

H. B. 1215, A bill to be entitled An act governing the nomination and election of county commissioners of Pamlico County.

With favorable reports.

And,

S. B. 498, A bill to be entitled An act to amend section 5 of chapter 314 of the Private Laws of North Carolina, 1909, relating to the election of the mayor of the Town of Tarboro, Edgecombe County.

With a favorable report, and on motion of Mr. Eagles, the bill is placed on its immediate passage.

Passes its second and third readings and is ordered Enrolled.

By Mr. Makepeace, for the Committee on Game:

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

With a favorable report.

By Mr. Turner, for the Committee on Judiciary No. 2:

H. B. 1166, A bill to be entitled An act to amend section 1802 of the Consolidated Statutes relating to the competency of testimony of wife against her husband, in criminal prosecutions for the abandonment and non-support of children.

And.

H. B. 1167, A bill to be entitled An act to dispense with affidavit of six months knowledge of grounds for divorce where such divorce is sought on the grounds of separation.

With favorable reports.

And,

H. B. 1130, A bill to be entitled An act to exempt Lenoir and Onslow counties from the operation of the State Barbers' License Law.

With an unfavorable report.

By Mr. McEachern, for the Committee on Agriculture:

H. B. 538, A bill to be entitled An act to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina, and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers; and further provide a penalty for the punishment of violation of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer, and for other purposes.

With an unfavorable report as to bill, favorable as to Committee Substitute.

By Mr. Moye, for the Committee on Justices of the Peace:

H. B. 1117, A bill to be entitled An act to improve the administration of justice in the Courts of Justices of the Peace and to reduce the number of such justices and provide for their election and appointment.

With a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Gilliam: H. B. 1223, A bill to be entitled An act to regulate and fix the salaries of the officers of Alamance County.

Referred to the Committee on Calendar.

By Mr. Ruark: H. B. 1224, A bill to be entitled An act to place names of Mrs. Sarah E. Ward and Mrs. Lillie Morse Williams on Pension Roll.

Referred to the Committee on Pensions.

By Mr. Lumpkin: H. B. 1225, A bill to be entitled An act to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County.

Referred to the Committee on Calendar.

By Mr. Hutchins: H. B. 1226, A bill to be entitled An act to amend House Bill 997, being "An act to appoint a Board of Revaluation and Review in Yancey County."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. McEachern, Moore and English: H. B. 1227, A bill to be entitled An act to appoint certain members of the Boards of Education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

Referred to the Committe on Education.

By Mr. Ingram: H. B. 1228, A bill to be entitled An act to validate the acts of certain justices of the peace in Macon County.

Referred to the Committee on Calendar.

And,

H. B. 1229, A bill to be entitled An act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

Referred to the Committee on Calendar.

And,

H. B. 1230, A bill to be entitled An act abolishing tax penalties in Macon County.

Referred to the Committee on Calendar.

By Mr. Eaton: H. R. 1231, A bill to be entitled An act to allow fishing in the streams of Yadkin County with trot lines, baskets and seins.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Moye: H. B. 1232, A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina.

Placed on the Calendar.

By Mr. Taylor of Mecklenburg: H. B. 1233, A bill to be entitled An act to regulate the Grand Jury of Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Culpepper: H. B. 1234, A bill to be entitled An act to amend section 2776(s) of chapter 56 of the Consolidated Statutes of North Carolina, Volume III, 1924, relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to the Senate without Engrossment.

By Messrs. Watson and Moss: H. B. 1235, A bill to be entitled An act to amend chapter 176, Public-Local Laws of 1911, relating to the Recorder's Court of Nash County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hutchins: H. B. 1236, A bill to be entitled An act to prevent trespass upon the lands of another in Yancey County.

Referred to the Committee on Calendar.

By Mr. Barden: H. B. 1237, A bill to be entitled An act to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards.

Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1238, A bill to be entitled An act to provide for the incorporation, organization and operation of cash depositories in the State of North Carolina in rural or other communities for the safety and convenience of farmers and others desiring convenient banking services.

Referred to the Committee on Banks and Banking.

By Mr. James by request: H. B. 1239, A bill to be entitled An act to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

Referred to the Committee on Judiciary No. 1.

By Messrs. Thompson of Columbus and Garibaldi: H. B. 1240, A bill to be entitled An act to prevent the spread and communication of venereal diseases; and to amend and supplement chapter 206 of the Public Laws of 1919.

Referred to the Committee on Health,

#### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 373, A bill to be entitled An act to amend chapter 104, Public Laws 1909, and chapter 156, Public-Local Laws 1911, and chapter 324, Public-Local Laws 1915, and chapter 24, Public Laws 1931, relative to the Recorder's Court of Reidsville Township, fixing the salaries respectively, of the Recorder and Solicitor of said Court.

Referred to the Committee on Calendar.

S. B. 390, A bill to be entitled An act to provide two additional terms of civil court for Rowan County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 443, A bill to be entitled An act validating the action of the Commissioners of Macon County in postponing the sale of land for taxes in Macon County.

Referred to the Committee on Calendar.

S. B. 464, A bill to be entitled An act to amend section 7067 of the Consolidated Statutes relating to appointment of a county physician.

Referred to the Committee on Calendar.

S. B. 448, A bill to be entitled An act validating certain deeds and deeds of trust registered in the office of the Register of Deeds for Vance County. Referred to the Committee on Calendar.

S. B. 499, A bill to be entitled An act to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by a fine not to exceed fifty dollars or imprisonment for thirty days.

Referred to the Committee on Calendar.

S. B. 515, A bill to be entitled An act to amend the Charter of the Town of Belhaven, Beaufort County, being chapter 246, Private Laws of 1907.

Referred to the Committee on Calendar.

H. B. 1183, A bill to be entitled An act to provide for, approve, and validate tax listing during the month of April, 1933.

For concurrence in the Senate Amendment.

On motion of Mr. Sigmon, the House concurs in the Senate Amendment and the bill is ordered Enrolled.

#### SPECIAL MESSAGE

SENATE CHAMBER, April 7, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the conference report on H. B. 15, title, "To repeal chapter 129 of the Public Laws of 1921, being An act regulating the issuance of license to marry, and providing for a physical examination of the applicants," and sends you this information to the end that if similar action is taken by your Body the bill may be ordered Enrolled.

## Respectfully,

LEROY MARTIN, Clerk of Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 134, A bill to be entitled An act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex officio game wardens in Buncombe County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1016, A bill to be entitled An act to create a Public Utility District, and a District Utility Corporation for the City of Asheville and County of Buncombe and to define the powers, duties and scope thereof.

On motion of Mr. Sullivan, the consideration of the bill is postponed until Wednesday, April 12.

H. B. 1124, A bill to be entitled An act to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County.

On motion of Mr. Thompson of Columbus, the bill is taken from the Committee on Election Laws, and placed on the Calendar for its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1159, A bill to be entitled An act relating to building inspection fees in Lenoir County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1162, A bill to be entitled An act to authorize the issuance of scrip by Beaufort County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1163, A bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Williamston.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1196, A bill to be entitled An act to fix the term of office of the Mayor and Commissioners of the City of Saluda and to fix the Mayor's salary.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1197, A bill to be entitled An act supplemental to House Bill 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and redefining the duties of the Sheriff of Polk County and fixing his salary.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1207, A bill to be entitled An act to define the boundaries of Morehead City Harbor, to provide for the appointment of a harbor master and pilots, and to regulate pilotage fees.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1220, A bill to be entitled An act to amend the Machinery Act of the General Assembly of North Carolina, Session 1933, ratified April 3, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1221, A bill to be entitled An act to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1222, A bill to be entitled An act to amend chapter 288, Public-Local Laws, Session 1919, relating to foxes in Granville County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 444, A bill to be entitled An act to provide for admission into Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race of Robeson County.

On motion of Mr. Graham, the bill is recommitted to the Committee on Education.

S. B. 485, A bill to be entitled An act supplemental to Senate bill 175, the same being "A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified on the 3d day of April, 1933.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1171, A bill to be entitled An act to permit the manufacture of light wine and beer in accordance with the National Prohibition Act in the State of North Carolina.

On motion of Mr. Doughton, the bill is recommitted to the Committee on Finance.

S. B. 275, A bill to be entitled An act more clearly to define the duties of the Commissioner of Labor.

On motion of Mr. Cherry, the bill is taken from the Committee on Reroganization of State Government, and placed on the Calendar for its immediate consideration.

Passes its second and third readings, and is ordered Enrolled.

Committee substitute for: H. B. 919, A bill to be entitled An act to amend section 220 (a) Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases.

On motion of Mr. Barden, the bill is recommitted to the Committee on Health.

H. B. 881, A bill to be entitled An act to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

For concurrence in the Senate amendment.

On motion of Mr. Barden, the House fails to concur in the Senate amendment, and a conference is asked for. The Speaker appoints as conferees on the part of the House: Messrs. Barden, Taylor of Currituck and Groves, and the Senate is so notified.

H. B. 1154, A bill to be entitled An act to provide for the reorganization of banks in North Carolina.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

The bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, Etheridge, Everett, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Moore, Moss, Moye, Murphy, McEachern, McLauchlin, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigman, Smith, Sprinkle, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Warlick, Williams and Woodfin—80.

Those voting in the negative are: None.

H. B. 1191, A bill to be entitled An act to authorize, empower, and direct the Board of Commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancy County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, Etheridge, Everett, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Moore, Moss, Moye, Murphy, McEachern, McLauchlin, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigman, Smith, Sprinkle, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Warlick, Williams and Woodfin—80.

Those voting in the negative are: None.

H. B. 1195, A bill to be entitled An act supplemental to H. B. 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six-months school term in Rutherford County," ratified on the 3d of April, 1933.

An amendment is adopted, and the bill remains on the Calendar for its second reading roll call.

S. B. 433, A bill to be entitled An act to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of County Boards of Education and Boards of County Commissioners pursuant to said chapter, relating to the assumption of school district debt by counties.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Bender, Berryman, Binford, Boyd, Braddy, Brock, Cameron, Cherry, Coffey, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, Everett, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Haynes, Howell, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Stevens, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, White, Wilson, Womble, Woodall and Woodfin-79.

Those voting in the negative are: Mr. Cowles-1.

#### CONFERENCE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned Conference Committee having been appointed on the substitute for House bill No. 15, being an Act to repeal chapter 129 of the Public Laws of 1921, being an Act regulating the issuance of license to marry, and providing for a physical examination of the applicants. We recommend that the House recede from the passage of section 1 and 2 of the said act, and that the Senate recede from the passage of the substitute therefor, and that the following be adopted in lieu of section 1 and 2 of the original bill:

Section 1. That the Register of Deeds of the several counties of the State shall require, before issuing a marriage license, that the groom shall file with him an affidavit setting forth that he does not have active tuberculosis or any venereal disease, and has not had either of said diseases for a period of two years prior thereto. The affidavit must be signed by the maker and sworn to before the Register of Deeds or any other person authorized to administer oaths; provided, however, that when the affidavit is made before the Register of Deeds, he shall not make any charge therefor.

The applicant, in lieu of making affidavit as herein set out, may file a Certificate of Health as provided by law before a passage of this act.

Sec. 2. That upon the applicant complying with either of the provisions of the foregoing section, the Register of Deeds may issue a license to marry, provided the contracting parties are otherwise qualified to marry according to law, provided further, that the bride shall not be required to stand a physical examination.

Sec. 3. That this act shall be in force from and after its ratification.

### Respectfully submitted,

S. GILMER SPARGER.

E. M. LAND.

A. D. MACLEAN,

RORT. T. WILSON,

J. M. Lee,

R. JENNINGS WHITE.

Conferees on the part of the Senate. Conferees on the part of the House.

On motion of Mr. Wilson, the Conference Report is adopted, and in view of its containing new matter, the rules are suspended and same is placed on its several readings.

Passes its second and third readings and the bill is ordered Enrolled, having received a message from the Senate that the report has been adopted by that body.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL 327

To the Senate and House of Representatives:

We, the undersigned, appointed as Conferees on the part of the Senate and House of Representatives to consider and adjust the differences arising on Senate Bill No. 327, recommend the following:

That the House recede from its amendment adopted March 31, and offered by Representative Binford of Rockinghom County.

# Respectfully submitted,

W. G. CLARK,
J. C. DEMPSEY,
Conferees on the part of the Senate.
W. W. Eagles,

H. W. BINFORD, JACK EDWARDS,

Conferees on the part of the House.

On motion of Mr. Eagles, the House adopts the Conferees' Report, and the Senate is so notified.

### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

April 7, 1933.

Speaker of the House of Representatives, General Assembly Session of 1933:
Audit of the Accounts of the State Auditor and State Treasurer to Comply
With Section 22 of Chapter 100 of 1929 for the Fiscal Years Ended June
30, 1931, and 1932.

Sir: I have the honor to transmit to the House of Representatives of the General Assembly, Session of 1933, the report on the audit of the accounts of the State Auditor and State Treasurer for the fiscal years ended June 30, 1931, and 1932, as required by section 22 of the Executive Budget Act, chapter 100 of the Public Laws of 1929.

## Respectfully,

J. C. B. Ehringhaus,
Governor and Ex Officio Director of the Eudget.

On motion of Mr. Hutchins, S. B. 169, a bill to be entitled An act for the relief of H. E. Roberts, is taken from the Unfavorable Calendar, and placed on the Calendar.

On motion of Mr. Turner of Guilford, S. B. 393, a bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants, is taken from the Committee on Judiciary No. 2 and recommitted to the Calendar Committee.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 1155, An act relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter.

S. R. 500, Joint resolution commending Walter Murphy to the new National Administration.

S. B. 503, An act to amend chapter 174, Public Laws 1905, so as to decrease the number of trustees of the Morganton Graded School, and to provide for the election of their successors by the people.

H B. 83, An act to amend chapter 351 of the Public Laws of 1931 relating to nonresident fishing license.

H. B. 233, An act to amend chapter 53 of the Public Laws of 1931 relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said county.

H. B. 760, An act to regulate the sale of certain assets of defunct banks.

H. B. 847, An act to amend chapter 676 of the Public-Local Laws of 1913, An act creating a Recorder's Court for the Town of Denton and Emmons Township so as to increase the jurisdiction of said court.

H. R. 894, A joint resolution to pay the expenses of the Committee from the Senate and House of Representatives visiting the State School for the Deaf at Morganton.

H. B. 918, An act to amend section 220 (E) Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.

H. B. 940, An act to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties—this bill relating only to the terms of court in Stanly County.

H. R. 946, A joint resolution relating to connection of the State Highway System with Roanoke Island.

H. B. 1010, An act to authorize the State Highway Commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout Bridge and Highway.

H. B. 1059, An act providing for the working of prisoners on the streets of the Town of Maiden, in Catawba County, North Carolina. (Applicable also the Town of Conover.)

H. B. 1210, An act to amend the Machinery Act of 1933, it being H. B. No. 914, and entitled "An act to provide for the listing and valuing of all property, real, personal, and mixed, at its true value in money."

On motion of Mr. Massenburg, the House adjourns and will meet tomorrow at 10:00 o'clock a.m.

# EIGHTY-SECOND DAY

House of Representatives, Saturday, April 8, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Joseph Fletcher of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The Speaker appoints Basil M. Boyd, Jr., son of Representative Boyd of Mecklenburg County, an Honorary Page of the House.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton of Alleghany, for the Committee on Finance:

H. B. 120, A bill to be entitled An act to raise revenue.

With an unfavorable report as to the bill, favorable as to the Committee substitute.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 134, A bill to be entitled An act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex officio game wardens in Buncombe County. (Applicable also to Madison County.)

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Beasley and Thomas: H. B. 1241, A bill to be entitled An act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

Referred to the Committee on Calendar.

By Mr. Sigmon: H. B. 1242, A bill to be entitled An act relating to peddlers in fruits in the Town of Lincolnton, in Lincoln County.

Referred to the Committee on Calendar.

By Messrs, Aycock of Wake and Womble: H. B. 1243, A bill to be entitled An act to promote the listing and collection of taxes on unlisted property in Wake County.

Referred to the Committee on Judiciary No. 2.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

Referred to the Committee on Finance.

S. B. 482, A bill to be entitled An act to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.

Referred to the Committee on Finance.

S. B. 488, A bill to be entitled An act to fix and regulate the court costs and witness fees in the Recorder's Court of Iredell County.

Referred to the Committee on Calendar.

S. B. 475, A bill to be entitled An act to authorize the governing agencies in Wayne County to acquire their own obligations.

Referred to the Committee on Finance.

S. B. 505, A bill to be entitled An act providing for special levy for special purposes in Warren County.

Referred to the Committee on Finance.

Senate substitute for: H. B. 743, A bill to be entitled An act relating to the salaries of the officers of Vance County.

Placed on the Calendar for concurrence in the Senate substitute.

H. B. 920, A bill to be entitled An act to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 520, A bill to be entitled An act to amend Senate bill No. 10, the same being An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, ratified the third day of April, 1933.

Referred to the Committee on Calendar.

S. B. 374, A bill to be entitled An act to amend Section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

Referred to the Committee on Calendar.

S. B. 420, A bill to be entitled An act to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

Referred to the Committee on Calendar.

S. B. 431, A bill to be entitled An act to amend chapter 462 of the Public-Local Laws of 1915, relative to domestic fowls running at large in stock law territory in Pitt County.

Referred to the Committee on Calendar.

S. B. 455, A bill to be entitled An act to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

Referred to the Committee on Propositions and Grievances.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1175, A bill to be entitled An act to change the boundary lines of Blowing Rock and Watauga Townships, Watauga County.

On motion of Mr. Garner, the bill is recommitted to the Committee on Counties. Cities and Towns.

H. B. 1176, A bill to be entitled An act to authorize the Board of Commissioners of Watauga County, in their discretion, to abolish the Recorder's Court of said County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1215, A bill to be entitled An act governing the nomination and election of county commissioners of Pamilco County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 439, A bill to be entitled An act to divide the Board of County Commissioners of Johnston County into two classes.

Passes its second and third readings, and is ordered Enrolled.

On motion of Mr. Doughton, the House adjourns and will meet Monday afternoon at 3:00 o'clock.

### EIGHTY-THIRD DAY

House of Representatives,
Monday Afternoon, April 10, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Martin: H. B. 1244, A bill to be entitled An act to provide suitable regulations for the manufacture and sale of beer and other beverages.

Referred to the Committee on Judiciary No. 1.

By Mr. Beasley: H. B. 1245, A bill to be entitled An act to amend House bill 671 of the General Assembly of 1933, entitled "An act to amend section 1, chapter 2, of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Haynes: H. B. 1246, A bill to be entitled An act to validate sales of lands for taxes by the County of Surry and the several incorporated towns therein.

Referred to the Committee on Finance.

By Mr. Gilliam: H. B. 1247, A bill to be entitled An act to amend Senate bill No. 180, ratified by the General Assembly of 1933 on March 27, 1933,

entitled "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Doughton of Alleghany: H. B. 1248, A bill to be entitled An act to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany.

Placed on the Calendar.

By Mr. Womble: H. B. 1249, A bill to be entitled An act to amend chapter 59 of the Private Laws of 1913, increasing the term of office of the Mayor, the Commissioner of Public Works and the Commissioner of Public Safety of the City of Raleigh from a term of two years to a term of four years.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Hamilton: H. B. 1250, A bill to be entitled An act to regulate the building of dams across creeks, bays, and river estuaries.

Referred to the Committee on Judiciary No. 1.

By Mr. Thompson of Beaufort: H. B. 1251, A bill to be entitled An act to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

Referred to the Committee on Finance.

### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County.

Placed on the Calendar for concurrence in Senate amendment.

S. B. 524, A bill to be entitled An act to amend Senate Bill 385 of the General Assembly of North Carolina of the year 1933, relating to the police court in the Town of Canton, Haywood County.

On motion of Mr. Howell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 625, A bill to be entitled An act to amend chapter 121, Private Laws 1931, the same being An act to incorporate the City of Asheville, to define its corporate limits; to provide for its government, and for other purposes, by amending article 4, section 31, in so far as the same applies to the Solicitor of the Police Court in so far as the same attempts to define his duties.

For concurrence in Senate amendments.

On motion of Mr. Sullivan, the House fails to concur in Senate Amendments and asks for a conference. The Speaker appoints as Conferees on the part of the House, Messrs. Sullivan, Martin, and Turner of Guilford, and the Senate is so notified.

H. B. 627, A bill to be entitled An act to amend chapter 186, Private Laws 1931, being "An act to amend Senate bill No. 395, being An act to amend the charter of the City of Asheville," pertaining to the reduction of salaries of councilmen and other employees.

On motion of Mr. Sullivan, the House fails to concur in Senate amendments and asks for a conference. The Speaker appoints as Conferees on the part of the House, Messrs. Sullivan, Martin, and Turner of Guilford, and the Senate is so notified.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, April 7, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on S. B. 327, title, "To authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction," and awaits notice from your body as to action taken thereon.

## Respectfully,

LEROY MARTIN, Clerk of Senate.

SENATE CHAMBER, April 7, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has decline to concur in the House amendment to S. B. 115, title, "To amend chapter 21 of Consolidated Statutes of 1919 to make more effective the regulation of Public Utilities," and asks for a conference thereon. The President has appointed as Conferees on the part of the Senate, Senators Hill and Hartsell.

### Respectfully,

LEROY MARTIN,
Clerk of Senate.

Pursant to above message, the Speaker appoints as Conferees on the part of the House, Messrs. Smith, Everett and Scarborough, and the Senate is so notified.

SENATE CHAMBER, April 7, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Bland and Cross to act as Conferees with your appointees to consider the differences arising on H. B. 550, title "To provide for the regulation of automobile liability insurance rates," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1191, A bill to be entitled An act to authorize, empower and direct the Board of Commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County.

Passes its third reading by the following vote and sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Binford, Bowie, Boyd, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Falkner, Flanagan, Froneberger, Galloway, Garibaldi, Garrou, Gatling Gattis, Gilliam, Grant, Griffin, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moss, Murphy, McLachlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Sigman, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, Watson, Williams, Wilson, Womble, Wocdall, Woodfin, and Young—75.

Those voting in the negative are: None.

H. B. 1195, A bill to be entitled An act supplemental to House bill No. 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the 3d day of April, 1933.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Binford, Bowie, Boyd, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Falkner, Flanagan, Froneberger, Galloway, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grant, Griffin, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moss, Murphy, McLachlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Sigman, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turnner of Guilford, Turner of Iredell, Warlick, Watson, Williams, Wilson, Womble, Woodall, Woodfin, and Young—75.

Those voting in the negative are: None.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

An amendment offered by Mr. Morphew is adopted.

As amended, the bill remains on the Calendar for its second reading due to the fact that the amendment is a material one.

H. B. 120, A bill to be entitled An act to raise revenue.

There being a substitute accompanying the original bill, the question now recurs upon the adoption of said substitute.

The Committee substitute is adopted.

On motion of Mr. Doughton, the House goes into the Committee of the Whole, for the purpose of considering the substitute section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Ewing, the Committee of the Whole rises and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee:

## Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

The Committee recommends the adoption of the following section, to wit: In article 1: Sections 1 to 28, inclusive.

The Committee recommends the adoption of article 1 as a whole.

In article 2: Sections 100 to 104, inclusive; 106 to 120, inclusive; 121 as amended; 122 to 125, inclusive; 127, 128, 129 as amended, 130 as amended.

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. English, the House takes a recess until 8:00 o'clock tonight.

### NIGHT SESSION

House of Representatives, Monday Night, April 10, 1933.

Pursuant to its recess, the House meets and resumes consideration of business with Mr. Speaker Harris presiding.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Aycock of Wake: H. B. 1252, A bill to be entitled An act to permit donors to prescribe the salaries of employees assigned to certain duties in certain State departments or agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

Placed on the Calendar.

By Mr. Cameron: H. B. 1253, A bill to be entitled An act to place John R. McNeill and N. B. Cameron of Moore County on the Confederate Pension Roll.

Referred to the Committee on Pensions.

By Mr. Cameron, by request: H. B. 1254, A bill to be entitled An act to incorporate the Town of Knollwood Village in the County of Moore.

Referred to the Committee on Judiciary No. 1.

By Mr. Haynes, by request: H. B. 1255, A bill to be entitled An act to repeal chapter 51 of the Private Laws of 1925, relating to the boundaries of the Town of Elkin.

Referred to the Committee on Counties, Cities and Towns.

#### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 533, A bill to be entitled An act to repeal Senate bill No. 335, entitled "An act for the relief of the Bank of Franklin and its depositors," ratified by the General Assembly, March 8, 1933, and Senate bill No. 462, ratified by the General Assembly March 30, 1933, entitled "An act supplemental to Senate bill 335, the same being a bill to be entitled An act for the relief of the Bank of Franklin and its depositors, ratified on the 8th day of March, 1933."

On motion of Mr. Ingram, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 511, A bill to be entitled An act to amend section 23 of chapter 48, Public Laws of 1927, providing that the attorneys employed by the North Carolina Park Commission shall be approved by the Governor.

On motion of Mr. Olive, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, April 6, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on S. B. 382, title, "To amend chapter 60 of the Public Laws of 1931, as amended, to amend chapter 418, Public Laws 1931, relating to provisions in funding and refunding bonds," and awaits notice from your body as to action taken thereon.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, April 6, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on S. B. 383, title, "To allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended

being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931," and awaits notice from your body as to action taken thereon.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, April 6, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on S. B. 381, title, "To provide for funding and refunding of debts and local units of government other than cities and towns, and awaits notice from your body as to action taken thereon.

## Respectfully,

LEROY MARTIN, Clerk of the Senate.

#### CONFERENCE REPORT

To the President of the Senate and Speaker of the House:

We, the undersigned Conferees appointed on Senate bill 383, being An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931, beg to report:

That after careful reading of Senate bill 383, and its companion bills, Senate bills 381 and 382, we are of the opinion that the matter contained in the amendments to this bill is covered by the provisions of the bills and do recommend that the House recede from all of its amendments to this bill.

### Respectfully submitted

STOVER P. DUNAGAN,
CAPUS M. WAYNICK,
C. E. BLACKSTOCK,
Conferees for the Senate.
S. M. GATTIS, Jr.,
R. A. DOUGHTON,
LUTHER HAMILTON,
A. R. PILLIPS,
Conferees for the House.

On motion of Mr. Gattis, the report is adopted, and the Senate is so notified.

### CONFERENCE REPORT

To the President of the Senate and Speaker of the House:

We, the undersigned Conferees appointed to consider Senate bill 381, being An act to provide for funding and refunding of debts of local units of government other than of counties, cities and towns, beg leave to report:

That after careful reading of Senate bill 381, and the companion bills, Senate bills 382 and 383, we are of the opinion that the matter contained in the amendment to this bill is covered by the provisions of the bills, and do recommend that the House recede from all of its amendments to this bill.

# Respectfully submitted,

STOVER P. DUNAGAN,
CAPUS M. WAYNICK,
C. E. BLACKSTOCK,
Conferees for the Senate.
S. M. GATTIS, JR.,
R. A. DOUGHTON,
LUTHER HAMILTON,
A. R. PHILLIPS,
Conferees for the House.

On motion of Mr. Gattis, the report is adopted, and the Senate is so notified.

### CONFERENCE REPORT

To the President of the Senate and Speaker of the House:

We, the undersigned Conferees appointed on Senate bill 382, being An act to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds, beg to report:

That after careful reading of Senate bill 382, and its companion bills, Senate bills 381 and 383, we are of the opinion that the matters contained in the amendments to this bill are covered by the provisions of the bills, except as to the amendment offered by Griffin, providing for an extra section to be numbered five; and do recommend that the House recede from the amendments offered except the amendments offered by Griffin, and that the Senate agree to the amendment by Griffin.

# Respectfully submitted,

STOVER P. DUNAGAN,
CAPUS M. WAYNICK,
C. E. BLACKSTOCK,
Conferees for the Senate.
S. M. GATTIS, JR.,
LUTHER HAMILTON,
A. R. PHILLIPS,
R. A. DOUGHTON,
Conferees for the House.

On motion of Mr. Gattis, the report is adopted, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1177, A bill to be entitled An act to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina.

An amendment offered by Mr. Dees is lost.

An amendment offered by Mr. Scarborough is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for: H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole, for the purpose of considering the substitute heretofore adopted, Mr. Moss presiding.

After consideration by the Committee of the Whole, on motion of Mr. Olive, the Committee rises and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee:

### Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 2, consideration of which not having been completed at its last sitting, the Committee recommends the adoption of the following sections, to wit:

Section 126, 1261/2 as amended, 105 as amended, 131 to 133, inclusive.

### Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. Allen, H. B. 1188, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes, relating to the reopening of judicial and other sales on advanced bid, is taken from the Unfavorable Calendar, and recommitted to the Committee on Judiciary No. 1.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 234, An act to amend Consolidated Statutes with reference to restoration to citizenship.

S. B. 275, An act more clearly to define the duties of the Commissioner of Labor.

S. B. 485, An act supplemental to Senate bill 175, the same being "A bill to be entitled An act to create the offices of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified on the 3d day of April, 1933."

- S. B. 498, And act to amend section 5 of chapter 314 of the Private Laws of North Carolina, 1909, relating to the election of the mayor of the Town of Tarboro, Edgecombe County.
- H. B. 87, An act to provide for the payment of taxes in monthly installments in Wake County.
- H. B. 660, An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.
- H. B. 707, An act to amend section 3401, Consolidated Statutes of North Carolina and Section 3411 (x), Volume III, of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections. (Applies also to Lenoir County.)
- H. B. 709, An act providing for an official court reporter for the Superior Court of Buncombe County.
- H. B. 809, An act to reduced the membership of the Board of Commissioners of Brunswick County.
- H. B. 826, An act to repeal section 17 of chapter 142 of Public-Local Laws 1927, the same being An act regulating Justices of the Peace in Buncombe County.
- H. B. 937, An act to amend chapter 428, Public Laws of 1931, abolishing penalties in payment of taxes in Pamlico County.
- H. B. 991, An act to validate certain sales of land for street assessments in the Town of Leaksville, and certificates issued in pursuance thereof.
- H. B. 1007, An act extending the licensing power of the governing board of the City of Lenoir.
- H. B. 1015, An act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal. (Not applicable to Ashe County and Durham County.)
- H. B. 1026, An act to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter.
- H. B. 1031, An act to amend chapters 84 and 424, Public Laws 1931, and section 1443 of Volume III of the Consolidated Statutes relating to terms of court for Avery, Watauga, Mitchell and Alexander counties.
- H. B. 1052, An act to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution.
- H. B. 1061, An act to repeal chapter 15 of Private Laws of 1927, and chapter 75 of Private Laws of 1929, relating to the office of Chief of Police of the Town of Marshall, Madison County.
- H. B. 1077, An act relating to special assessments levied by the City of Greensboro.
- H. B. 1078, An act amending the Act providing for the extension of special assessments.
- H. B. 1081, An act to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development and to prevent the use of haul or drag nets in the waters of New River in Onslow County.
- H. B. 1099, An act authorizing the County Commissioners of Graham County, North Carolina, to pay a reward for evidences to convict any person

who violates the provisions or any provision of sections 4309, 4311 or 4312 of Consolidated Statutes of North Carolina.

H. B. 1104, An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina.

H. B. 1106, An act to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

H. B. 1134, An act authorizing and empowering the Commissioners of Gaston County, in their discretion, to defer for three years the foreclosure under deeds of trust and mortgages held in the Sinking Fund of said County and to authorize and empower said Commissioners to sell real estate now or hereafter held by them for the Sinking Fund of said County upon such terms as, in their discretion, they think proper, but in no case for a period longer than five years.

H. B. 1139, An act to amend chapter 71 of Private Acts of North Carolina, Session 1872-73, relating to the charter of Mooresville, in Iredell County.

H. B. 1156, An act to allow the Commissioners of Transylvania County to accept county bonds in payment of certain taxes.

H. R. 1182, Joint resolution to provide for the printing of the Revenue Bill submitted to the General Assembly by the Finance Committee.

H. B. 1183, An act to provide for, approve, and validate tax listing during the month of April, 1933.

H. B. 1217, An act to amend the Fishing Laws as to Cherokee County.

H. B. 1235, An act to amend chapter 176, Public-Local Laws of 1911, relating to the Recorder's Court of Nash County.

H. B. 1102, An act to regulate the sale of milk bottles and containers in Mecklenburg County.

H. B. 15, An act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants."

S. B. 439, An act to divide the Board of County Commissioners of Johnston County into two classes.

On motion of Mr. Ewing, the House adjourns, and will meet tomorrow at 11:00 o'clock a. m.

# EIGHTY-FOURTH DAY

House of Representatives, Tuesday, April 11, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative Joe Garibaldi of Mecklenburg County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows: By Mr. Makepeace, for the Committee on Game:

H. B. 774, A bill to be entitled An act to amend the North Carolina Game Law.

With an unfavorable report as to bill, favorable as to the Committee substitute.

By Mr. Moss, for the Committee on Judiciary No. 1 and Calendar:

H. B. 1250, A bill to be entitled An act to regulate the building of dams across creeks, bays, and river estuaries.

And,

S. B. 443, A bill to be entitled An act validating the action of the Commissioners of Macon County in postponing the sale of land for taxes in Macon County.

And,

H. B. 1229, A bill to be entitled An act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

And.

H. B. 1228, A bill to be entitled An act to validate the acts of certain Justices of the Peace in Macon County.

With favorable reports, as amended.

And,

H. B. 1239, A bill to be entitled An act to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

And,

S. B. 488, A bill to be entitled An act to fix and regulate the court costs and witness fees in the Recorder's Court of Iredell County.

And,

S. B. 420, A bill to be entitled An act to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

And,

S. B. 431, A bill to be entitled An act to amend chapter 462 of the Public-Local Laws of 1915, relative to domestic fowls running at large in Stock Law territory in Pitt County.

And,

S. B. 520, A bill to be entitled An act to amend S. B. 10, the same being An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 3d day of April, 1933.

And,

S. B. 448, A bill to be entitled An act validating certain deeds and deeds of trust registered in the office of the Register of Deeds for Vance County.

And

- S. B. 499, A bill to be entitled An act to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.
- S. B. 515, A bill to be entitled An act to amend the charter of the Town of Belhaven, Beaufort County, being chapter 246, Private Laws of 1907.

H. B. 1225, A bill to be entitled An act to repeal section 5 of Chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County.

And,

H. B. 1223, A bill to be entitled An act to regulate and fix the salaries of the officers of Alamance County.

And.

S. B. 374, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

And,

S. B. 373, A bill to be entitled An act to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public Laws of 1931, relative to the Recorder's Court of Reidsville Township, fixing the salaries, respectively, of the Recorder and Solicitor of said Court.

And.

H. B. 1241, A bill to be entitled An act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

And,

H. B. 1236, A bill to be entitled An act to prevent trespass upon the lands of another in Yancey County.

With favorable reports.

By Mr. Newman, for the Committee on Appropriations:

H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by establishment of the Great Smoky Mountains National Park.

With a favorable report, as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Graham, and Thompson of Robeson: H. G. 1256, A bill to be entitled An act to authorize the County Commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Rouse: H. B. 1257, A bill to be entitled An act relating to elections and the holding of second primaries in the City of Kinston.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Taylor of Currituck: H. B. 1258, A bill to be entitled An act giving the County Commissioners of Currituck County the authority to fix the salaries of the officers and employees of said county.

Referred to the Committee on Calendar.

And,

H. B. 1259, A bill to be entitled An act to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County. Referred to the Committee on Calendar.

By Mr. Brown: H. B. 1260, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes providing an additional term of court for Perquimans County.

Referred to the Committee on Calendar.

By Mr. Dees, by request: H. B. 1261, A bill to be entitled An act to prohibit the use of long haul or drag nets by power in portions of Bay River and Neuse River, Pamlico County.

Referred to the Committee on Commercial Fisheries.

By Mr. Turner of Guilford: H. B. 1262, A bill to be entitled An act to provide funds for public utility rate investigations.

Referred to the Committee on Appropriations.

By Mr. Phillips, by request: H. B. 1263, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes relating to public drunkenness in the King High School District, Stokes County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Young: H. B. 1264, A bill to be entitled An act to fix the compensation of the Board of Commissioners of Harnett County and to require a publication of expenditures by said board.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And.

H. B. 1265, A bill to be entitled An act to fix the compensation of the Auditor for the County of Harnett, and to provide for an Assistant Auditor and to fix the compensation of such assistant.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And.

H. B. 1266, A bill to be entitled An act to fix the compensation of the County Attorney for the County of Harnett.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Gattis: H. B. 1267, A bill to be entitled An act to prevent drunkenness and disorderly conduct in public places in Orange County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sullivan: H. B. 1268, A bill to be entitled An act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the City of Asheville and their widows.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Gilliam: H. B. 1269, A bill to be entitled An act to repeal Senate bill No. 158, the same being "A bill to be entitled An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County," ratified February 20, 1933.

Referred to the Committee on Calendar.

## SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 334, A bill to be entitled An act to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewage disposal system.

On motion of Mr. Howell, the House fails to concur in the Senate amendment, and asks for a conference. The Speaker appoints as Conferees on the part of the House, Messrs. Howell, Gattis and White, and the Senate is so notified.

H. B. 1045, A bill to be entitled An act to make the possession of machine guns and other like weapons unlawful.

For concurrence in the Senate amendment.

On motion of Mr. Neal, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 513, A bill to be entitled An act to amend chapter 129 of the Consolidated Statutes of North Carolina and Acts amendatory thereof, in relation to the distribution of State laws, journals, documents, reports and publications to the Library of the University of North Carolina.

Referred to the Committee on Judiciary No. 1.

S. B. 493, A bill to be entitled An act for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square townships of Northampton County.

Referred to the Committee on Finance.

S. B. 504, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Thomasville.

Referred to the Committee on Finance.

S. B. 506, A bill to be entitled An act to amend section 1864 (a), Consolidated Statutes of North Carolina so as to exempt certain portions of land in Onslow County from the provisions of the Stock Law.

Referred to the Committee on Agriculture.

S. B. 507, A bill to be entitled An act to amend section 1908, Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms.

Referred to the Committee on Oyster Industry.

S. B. 534, A bill to be entitled An act to require municipal elections in the Town of Roanoke Rapids, Halifax County, North Carolina, to be held under the provisions of the General Election Law, providing for a secret ballot and prescribe the method of becoming a candidate for a municipal office in said town.

Referred to the Committee on Election Laws.

S. B. 510, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to terms of court of Catawba County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 512, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

Referred to the Committee on Insurance.

S. B. 453, A bill to be entitled An act to provide for the manner of the payment of certain street, sidewalk and sewer assessment liens in the City of Goldsboro.

Referred to the Committee on Finance.

S. B. 460, A bill to be entitled An act to amend chapter 122, Public Laws 1927, article 3, section 15, sub-section F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or request.

Referred to the Committee on Judiciary No. 1.

S. R. 461, Joint resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.

Referred to the Committee on Judiciary No. 2.

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bohds of the State.

Referred to the Committee on Finance.

#### SPECIAL MESSAGES

SENATE CHAMBER, April 11, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators McLean and Moore to act as Conferees with your appointees to consider the differences arising on H. B. 881, title, "To repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the govering bodies of local units for failure to vote for or levy certain taxes.

#### Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, April 11, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has

appointed, on the part of the Senate, Senators Blackstock and Burgin, to act as Conferees with your appointees to consider the differences arising on H. B. 627, title "To amend chapter 186, Private Laws 1931, being An act to amend S. B. 395, being the charter of the City of Asheville, pertaining to the reduction of salaries of councilmen and other employees," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of Senate.

SENATE CHAMBER, April 11, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed, on the part of the Senate, Senators Blackstock and Burgin to act as Conferees with your appointees to consider the differences arising on H. B. 625, title, "To amend chapter 121, Private Laws 1931, the same being An act to incorporate the City of Asheville, to define its corporate limits, to provide for the government, and for other purposes," and to adjust the same.

Respectfully,

LEROY MARTIN,
Clerk of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

On motion of Mr. Ewing, the bill is recommitted to the Committee on Game,

H. B. 1218, A bill to be entitled An act to create the Daniel Boone National Forest Park and to provide for coöperation by the State of North Carolina with the Federal Government in the reforestation of the Tennessee River Basin in Western North Carolina.

On motion of Mr. Coffey, the bill is recommitted to the Committee on Judiciary No. 2.

H. B. 1248, A bill to be entitled An act to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1252, A bill to be entitled An act to permit donors to prescribe the salaries of employees assigned to certain duties in certain State departments or agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee Substitute for:

H. B. 538, A bill to be entitled An act to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer ma-

terials in the State of North Carolina, and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers, and further provide a penalty for the punishment of the violators of the fertilizer laws; to provide for penalties to be paid by the manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties, to extend the Commissioner's authority in inspecting fertilizer, and for other purposes.

Committee Substitute is adopted, and remains on the Calendar for its second reading Roll Call.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Pender, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moss, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—95.

Those voting in the negative are: None.

H. B. 1195, A bill to be entitled An act supplemental to House Bill 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the Third Day of April, 1933.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed and sent to the Senate:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Pender, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moss, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of

Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—95.

Those voting in the negative are: None.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole for the purpose of further considering the substitute bill, section by section, Mr. Moss presiding.

After consideration by the Committee of the Whole, on motion of Mr. Bowie, the Committee rises and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In Article 2—consideration of which not having been completed at its last sitting, the Committee recommends the adoption of the following sections to wit: sections 134 as amended; 135, 136, 137, 138, 139, as amended; 140, 141, 142, as amended; 143 to 146 inclusive; 147 as amended; 148, 149, 150, as amended; 151, 152, as amended; 153 as amended.

# Respectfully,

Mr. O. B. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. Thompson of Beaufort, H. B. 1180, a bill to be entitled An act to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns, or units, in settlement of the claim for said funds or any judgment recovered on account of same, is taken from the Unfavorable Calendar, and recommitted to the Committee on Finance.

On motion of Mr. Moss, H. B. 1157, a bill to be entitled An act to amend the North Carolina Game Law in the particulars mentioned below, the said amendments in this act to apply to Alamance County only, is taken from the Committee on Calendar and recommitted to the Committee on Game.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 381, An act to provide for funding and refunding of debts of local units of government other than counties, cities and towns.

S. B. 382, An act to amend chapter 60 of the Public Laws of 1931 as amended and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

S. B. 383, An act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government

Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

On motion of Mr. Gattis, the House takes a recess until 3:30 o'clock this afternoon.

## AFTERNOON SESSION

House of Representatives, Tuesday Afternoon, April 11, 1933.

Pursuant to recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Murphy: H. R. 1270, Joint Resolution requesting the advisory opinion of the Chief Justice and Associate Justices of the Supreme Court upon House Bill 879, providing for the calling of a convention of the people of North Carolina, for the purpose of considering the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

### SPECIAL MESSAGES FROM THE SENATE

Mr. Speaker:

SENATE CHAMBER, April 11, 1933.

It is ordered that a message be sent to the House of Representatives requesting the return of H. B. 782, title, "Reducing the salaries of certain officers of Wake County," for further consideration of the Senate.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Womble, the bill is ordered returned to the Senate.

SENATE CHAMBER, April 11, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on H. B. 125, title, "To make appropriations for the maintenance of the State departments, bureaus, institutions, and agencies, and for other purposes and to reduce salaries of officers, employees and agents," to the end that you may order the bill Enrolled.

Respectfully,

LEROY MARTIN, Clerk of the Senate. Pursuant to the above message, and the House having adopted a similar report, the bill is ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 879, A bill to be entitled An act to provide for the calling of a convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment.

Mr. Murphy offers a substitute for the bill.

The substitute is adopted, and remains on the Calendar for its several readings.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole for the purpose of considering the bill, section by section, Mr. Moss presiding.

After consideration by the Committee of the Whole, on motion of Mr. Turner of Guilford, the Committee rises, and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 2, consideration of which not having been completed at its last sitting, the Committee recommends the adoption of the following sections, to wit: sections 154 to 161 inclusive; 162 to 191 inclusive. The Committee reconsidered the vote by which it adopted section 105 as amended, and the amendments, and recommends that said section be adopted as written in the substitute bill. The Committee recommends the adoption of article 2 as a whole, as amended.

In article 3, the Committee recommends the adoption of sections 201, 202, as amended; 203 as amended. A kilowatt hour amendment offered by Mr. Ewing to section 203 was not acted upon.

### Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. Hoyle, the House takes a recess until 8:30 tonight.

### NIGHT SESSION

House of Representatives, Tuesday Night, April 11, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 1268, A bill to be entitled An act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the City of Asheville and their widows.

And,

S. B. 474, A bill to be entitled An act to amend Senate Bill 175, relating to the office of Treasurer-Tax Collector of Mecklenburg County.

And,

S. B. 508, A bill to be entitled An act to amend chapter 44 of the Private Laws of North Carolina, 1907, relating to the Charter of the Town of Garland, Sampson County, so that the officers of said Town shall be elected biennially instead of annually.

With favorable reports.

And,

H. B. 1175, A bill to be entitled An act to change the boundary lines of Blowing Rock and Watauga townships, Watauga County.

And,

H. B. 1249, A bill to be entitled An act to amend chapter 59 of the Private Laws of 1913, increasing the term of office of the Mayor, the Commissioner of Public Works, and the Commissioner of Public Safety of the City of Raleigh from a term of two years to a term of four years.

With unfavorable reports.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Young: H. B. 1271, A bill to be entitled An act supplemental to Senate Bill 180, the same being "An act to allow counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933.

Passed first reading.

Rules suspended.

Passes`its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1272, A bill to be entitled An act to place the Clerk of the Superior Court, the Register of Deeds and the Judge of the Recorder's Court of Harnett County on a salary, and to fix the compensation of the said officers.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1273, A bill to be entitled An act to fix the compensation of the Sheriff and Jailer of Harnett County, and to clarify the laws with respect to the said office of Sheriff.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Taylor of Mecklenburg, Boyd and Garibaldi: H. B. 1274, A bill to be entitled An act to amend chapter 86 of the Public-Local Laws of 1931, being "An act to place the officers of Mecklenburg County on salaries."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Taylor of Mecklenburg: H. B. 1275, A bill to be entitled An act to amend Senate Bill No. 175, the same being a bill to be entitled "An act to create the office of treasurer-tax collector of Mecklenburg County, and collector of revenue for the City of Charlotte, prescribing their duties, and setting forth the manner of taking judgments against delinquent taxpayers."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Bender: H. B. 1276, A bill to be entitled An act to provide for election in the Town of Trenton, Jones County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ruark: H. B. 1277, A bill to be entitled An act to amend Senate Bill No. 313, passed by the General Assembly, and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

Referred to the Committee on Calendar.

By Mr. Scarborough: H. B. 1278, A bill to be entitled An act to regulate the costs in criminal actions in courts of justices of the peace for Richmond County.

Placed on the Calendar.

By Mr. Sigmon: H. B. 1279, A bill to be entitled An act to amend the Machinery Act of 1933.

Placed on the Calendar.

By Mr. Gatling by request: H. B. 1280, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes relating to depredations of domestic fowls in Gates County.

Referred to the Committee on Calendar.

By Mr. Edwards: H. B. 1281, A bill to be entitled An act to regulate the sale of milk bottles and containers in Pitt County.

Placed on the Calendar.

By Mr. Allen: H. B. 1282, A bill to be entitled An act to validate the acts of E. D. Gooch as a Justice of the Peace in and for Granville County.

Referred to the Committee on Judiciary No. 1.

And,

H. B. 1283, A bill to be entitled An act supplemental to Senate Bill 180, the same being "An act to allow the counties, municipalities, and other governing agencies to refund tax certificates," ratified March 27, 1933.

Referred to the Committee on Finance.

By Mr. Lumpkin by request: H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

Referred to the Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole for the purpose of further considering the substitute, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Gardner, the Committee of the Whole rises and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 3, consideration of which not having been completed at its last sitting, the Committee recommends the adoption of section 203 as previously amended, and a kilowatt hour amendment offered by Mr. Ewing to this section is recommended for adoption by the following Roll Call vote:

Those voting in the affirmative are: Messrs. Allen, Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Braddy, Cover, Davis, Douglass, Eagles, Edwards, Ewing, Falkner, Flanagan, Galloway, Gardner, Gatling, Gilliam, Grady, Grant, Griffin, Hamilton, Haynes, Howell, Ingram, Johnson of Chatham, Lee, Moss, Moye, McLauchlin, Oaks, Phillips, Randolph, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Turner of Guilford, Vann, Watson, White, Williams, Woodall, Woodfin and Young—56.

Those voting in the negative are: Messrs, Beasley, Boyd, Brawley, Cherry, Coffey, Crews, Dees, Dowtin of Warren, Froneberger, Garibaldi, Graeber, Harris, Hoyle, Makepeace, Martin, Morphew, Murphy, Neal, Newman, O'Berry, Olive, Pope, Taylor of Halifax, Thompson of Columbus, Turner of Iredell, Warlick, Wilson and Womble—28.

The following pairs are announced:

Mr. Groves with Mr. Lumpkin—were Mr. Lumpkin present he would vote "aye," Mr. Groves would vote "no."

Mr. Tompkins with Mr. Gattis—Were Mr. Gattis present he would vote "no," Mr. Tompkins would vote "aye."

Mr. English with Mr. Tatem—were Mr. English present he would vote "aye," Mr. Tatem would vote "no."

Mr. Brown with Mr. Massenburg—were Mr. Massenburg present he would vote "no," Mr. Brown would vote "aye."

Mr. Cox with Mr. Moore—were Mr. Moore present, he would vote "aye," Mr. Cox would vote "no."

Mr. Doughton with Mr. Bowie—were Mr. Bowie present he would vote "aye," Mr. Doughton would vote "no."

Mr. Graham with Mr. Etheridge—were Mr. Etheridge present he would vote "no," Mr. Graham would vote "aye."

Mr. Monroe with Mr. Cameron—were Mr. Cameron present he would vote "aye," Mr. Monroe would vote "no."

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. Smith, H. B. 1163, a bill to be entitled An act relating to the payment of assessments for street improvements in the Town of Williamston, is ordered recalled from the Senate for further consideration by the House.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 511, An act to amend section 23 of chapter 48, Public Laws of 1927, providing that the attorneys employed by the North Carolina Park Commission shall be approved by the Governor.

S. B. 524, An act to amend Senate Bill 385 of the General Assembly of North Carolina of the Year 1933, relating to the Police Court in the Town of Canton, Haywood County.

S. B. 533, An act to repeal Senate Bill No. 335, entitled "An act for the relief of the Bank of Franklin and its depositors," ratified by the General Assembly, March 8, 1933, and Senate Bill No. 462, ratified by the General Assembly, March 30, 1933, entitled "An act supplemental to Senate Bill 335, the same being 'A bill to be entitled An act for the relief of the Bank of Franklin and its depositors,' ratified on the 8th day of March, 1933."

H. B. 135, An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

H. B. 289, An act to amend chapter 450, Public-Local Laws, Regular Session of General Assembly 1931, relating to fishing in Tennessee River.

H. B. 317, An act to prohibit seining and trapping fish in the Dan, Mayo and Smith Rivers in Rockingham and Stokes counties.

- H. B. 322, An act to regulate seining in Caswell County.
- H. B. 896, An act to provide for jury trials in the General County Court of Bertie County, and for regulating appeals in criminal causes from said Court; and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.
- H. B. 953, An act to amend the Charter of the New Bern Graded Schools, and to provide for the appointment of the Board of Trustees of the New Bern Graded Schools.
- H. B. 972, An act to provide for a Calendar in the Criminal Courts of Columbus County.
- H. B. 976, An act to amend chapter 391 of the Public-Local Laws of 1927, relating to the salary of the Assistant Clerk of the Superior Court of Wake County.
- H. B. 1039, An act for the protection of Mount Pleasant Church and Samaria Church, in Ferrell's Township, Nash County, and Macedonia Church, in Cooper's Township, Nash County.
- H. B. 1066, An act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.
- H. B. 1045, An act to make the possession of machine guns and other like weapons unlawful.
- H. B. 1055, An act to prevent the killing, selling and shipping calves for veal in Macon County.
- H. B. 1060, An act to amend chapter 115, Private Laws of 1899, relating to the Charter of the Town of Greenville.
- H. B. 1075, An act to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the Village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said Act.
- H. B. 1125, An act to regulate fishing in the various swamps, marshes and creeks in Columbus County.
- H. B. 1132, An act to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County.
- H. B. 1170, An act to amend section 10 and section 13 of chapter 33, Public Laws of 1929.
- H. B. 1234, An act to amend section 2776(s), of chapter 56 of the Consolidated Statutes of North Carolina, Volume III (1924), relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County.

On motion of Mr. Doughton, the House adjourns, and will meet tomorrow at 11:00 o'clock a.m.

### EIGHTY-FIFTH DAY

House of Representatives, Wednesday, April 12, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committes, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar:

H. B. 1269, A bill to be entitled An act to repeal S. B. 158, the same being "A bill to be entitled An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County," ratified February 20, 1933.

With a favorable report, and on motion of Mr. Gilliam, the bill is recommitted to the Calendar Committee.

And.

H. B. 1260, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.

And.

H. B. 1277, A bill to be entitled An act to amend Senate Bill No. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

And,

H. B. 1259, A bill to be entitled An act to repeal chapter 273 of the Public-Local Laws of 1931, relating to certain public funds in Currituck County.

And.

H. B. 1165, A bill to be entitled An act to repeal chapter 171, Private Laws 1923, appointing trustees for School District No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the Clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said Township.

And.

H. B. 1258, A bill to be entitled An act giving the County Commissioners of Currituck County the authority to fix the salaries of the officers and employees of said County.

And,

H. B. 1230, A bill to be entitled An act abolishing tax penalties in Macon County.

With favorable reports.

By Mr. Hoyle, for the Committee on Judiciary No. 2:

S. R. 461, Joint Resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.

And,

H. B. 1243, A bill to be entitled An act to promote the listing and collection of taxes on unlisted property in Wake County.

H. B. 1136, A bill to be entitled An act to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the Municipal Court of the City of High Point.

With favorable reports.

And,

H. B. 1141, A bill to be entitled An act to amend H. B. 158, ratified March 13, 1933, being An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes so as to provide an alternative method of notification.

With an unfavorable report as to bill, favorable as to the Committee substitute.

By Mr. Doughton, for the Committee on Finance:

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bonds of the State.

And,

H. B. 1251, A bill to be entitled An act to allow counties, and other units, to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

H. B. 175, A bill to be entitled An act to amend section 32, chapter 60, Public Laws, 1931, relating to and declaring liability of public officials with respect to funds of a unit deposited in banks and trust companies, designated as depository or depositories of such unit.

And,

S. B. 482, A bill to be entitled An act to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State against loss.

And.

S. B. 505, A bill to be entitled An act providing for special levy for special purposes in Warren County.

And,

S B. 453, A bill to be entitled An act to provide for the manner of the payment of certain street, sidewalk and sewer assessment liens in the City of Goldsboro.

And,

H. B. 1246, A bill to be entitled An act to validate sales of lands for taxes by the County of Surry and the several incorporated towns therein.

And.

S. B. 456, A bill to be entitled An act relating to the collection of the amount due the Town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

And.

S. B. 504, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Thomasville.

And,

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

S. B. 475, A bill to be entitled An act to authorize the governing agencies in Wayne County to acquire their own obligations.

With a favorable report.

And,

S. B. 493, A bill to be entitled An act for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County.

Bill reported without prejudice.

And,

H. B. 1283. A bill to be entitled An act supplemental to Senate Bill 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933.

With a favorable report, and on motion of Mr. Doughton, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1180, A bill to be entitled An act to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recovered on account of same.

With a favorable report, on motion of Mr. Thompson of Beaufort, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 141, A bill to be entitled An act setting up the methods and processes for determining and imposing the franchise tax on domestic and foreign corporations.

And.

H. B. 17, A bill to be entitled An act to provide that the six months public school term shall be maintained from sources other than ad valorem tax on property.

And,

H. R. 28, Joint Resolution relative to balancing the State Budget without the levying of additional taxes.

And,

H. B. 384, A bill to be entitled An act to amend section 150, Public Laws, 1931, chapter 427, and section 139, Public Laws, 1931, chapter 427, known as the Revenue Act, and relating to license taxes for pressing clubs, dry cleaning plants, hat blockers and laundries.

And.

H. B. 267, A bill to be entitled An act to apply the chain store tax to filling stations.

And,

H. B. 714, A bill to be entitled An act to provide for the payment of property taxes in the several counties of the State in installments.

H. B. 60, A bill to be entitled An act to impose a tax on the manufacture of tobacco products in North Carolina, and to provide for its assessment and collection.

And,

H. B. 992, A bill to be entitled An act relating to sale of fruits and vegetables in towns and cities in North Carolina.

And.

H. B. 1158, A bill to be entitled An act to raise revenue by levying a tax on filling stations and chain filling stations.

And.

H. B. 773, A bill to be entitled An act to raise revenue for the support of the State Government by the imposition of an excise tax upon electric power generated and sold within this State.

With unfavorable reports.

By Mrs. Mebane, for the Committee on Public Welfare:

H. B. 1062, A bill to be entitled An act to amend section 1336 of Consolidated Statutes in regard to the maintenance of aged and infirm.

With a favorable report.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 1195, A bill to be entitled An act supplemental to House Bill 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the Third Day of April, 1933.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Ray: H. B. 1285, A bill to be entitled An act to allow the Commissioners of Henderson County to accept bonds in payment of certain taxes. Referred to the Committee on Finance.

By Messrs. Sullivan and Martin: H. B. 1286, A bill to be entitled An act to authorize the Board of Education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.

Placed on the Calendar.

By Mr. Morphew: H. B. 1287, A bill to be entitled An act supplemental to and amendatory to Senate Bill No. 135, entitled "An act relating to fore-closures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Phillips: H. B. 1288, A bill to be entitled An act to permit the consolidation of the administration of rural and special chartered schools of the State.

Referred to the Committee on Education.

By Mr. Braddy: H. B. 1289, A bill to be entitled An act to prohibit the manufacture or sale of beer or wine in Frenches Creek Township, Bladen County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Williams: H. B. 1290, A bill to be entitled An act to amend chapter 59 of the Private Laws of 1931, and chapter 208 of the Private Laws of 1927, relating to the salary of the Mayor of Warsaw in Duplin County. Referred to the Committee on Counties, Cities and Towns.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 536, A bill to be entitled An act to empower the Board of Aldermen of the City of Statesville and the Board of Commissioners of Iredell County to confer upon the Recorder's Court of Iredell County the jurisdiction of the Mayor's Court of the City of Statesville.

Referred to the Committee on Judiciary No. 1.

S. B. 489, A bill to be entitled An act relating to the hunting of foxes in Montgomery County.

Referred to the Committee on Game.

S. B. 494, A bill to be entitled An act to repeal chapter 181, Public-Local Laws, Extra Session, 1920, relating to hunting squirrels, foxes, opossums, and coons in Wilson County and to provide an open season for foxes.

Referred to the Committee on Game.

S. B. 518, A bill to be entitled An act to authorize the issuance of scrip by Lee County.

Referred to the Committee on Finance.

S. B. 530, A bill to be entitled An act to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County. Referred to the Committee on Education.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1228, A bill to be entitled An act to validate the acts of certain justices of the peace in Macon County.

Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1229, A bill to be entitled An act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1268, A bill to be entitled An act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the City of Asheville and their widows.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1278, A bill to be entitled An act to regulate the costs in criminal actions in Courts of Justice of the Peace for Richmond County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1279, A bill to be entitled An act to amend the Machinery Act of 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1281, A bill to be entitled An act to regulate the sale of milk bottles and containers in Pitt County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 374, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 420, A bill to be entitled An act to repeal chapter 301, Public-Local Laws 1927, relative to slot machines in Bladen County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 443, A bill to be entitled An act validating the action of the Commissioners of Macon County in postponing the sale of land for taxes in Macon County.

Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

- S. B. 448, A bill to be entitled An act validating certain deeds and deeds of trust registered in the office of the Register of Deeds for Vance County. Passes its second and third readings, and is ordered Enrolled.
- S. B. 474, A bill to be entitled An act to amend Senate Bill No. 175, relating to the office of Treasurer-Tax Collector of Mecklenburg County. Passes its second and third readings, and is ordered Enrolled.
- S. B. 488, A bill to be entitled An act to fix and regulate the court costs and witness fees in the Recorder's Court of Iredell County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 499, A bill to be entitled An act to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.

Passes its second and third readings, and is ordered Enrolled.

S. B. 508, A bill to be entitled An act to amend chapter 44 of the Private Laws of North Carolina, 1907, relating to the Charter of the Town of Garland,

Sampson County, so that the officers of said Town shall be elected biennially instead of annually.

Passes its second and third readings, and is ordered Enrolled.

S. B. 515, A bill to be entitled An act to amend the Charter of the Town of Belhaven, Beaufort County, being chapter 246, Private Laws 1907.

Passes its second and third readings, and is ordered Enrolled.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

An amendment offered by Mr. Pope is adopted, and the bill remains on the Calendar for its second reading Roll Call.

S. B. 534, A bill to be entitled An act to require municipal elections in the Town of Roanoke Rapids, Halifax County, North Carolina, to be held under the provisions of the General Election Law, providing for a secret ballot, and to prescribe the method of becoming a candidate for a municipal office in said Town.

On motion Mr. Taylor of Halifax, the bill is recalled from the Committee on Election Laws, and placed on its immediate passage.

Passes its second and third readings, and is ordered Enrolled.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole for the purpose of further considering the substitute, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Cherry, the Committee of the Whole rises and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 3, consideration of which not having been completed at its last sitting, the Committee recommends the adoption of section 203, as previously amended; 204, 205, 206, as amended; 207, as amended; 208, as amended; 209, 210. Messrs. Everett and White offered an amendment to 211 which is recommended for adoption by the following Roll Call vote:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brown, Cameron, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Edwards, Everett, Ewing, Flanagan, Galloway, Gardner, Gatling, Gilliam, Grady, Graham, Grant, Ingram, Johnson of Chatham, Lee, Moye, McLauchlin, Oaks, Rouse, Scarborough, Sigmon, Sprinkle, Spruill, Stevens, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White, Woodall, Woodfin and Young—54.

Those voting in the negative are: Messrs. Beasley, Brawley, Cherry, Coffey, Cox, Crews, Culpepper, Doughton of Alleghany, English, Etheridge, Froneberger, Garibaldi, Graeber, Greer, Griffin, Groves, Harris, Howell, Hoyle, Hutchins, James, Johnson of Pender, Makepeace, Martin, Mizzell, Monroe, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips,

Pope, Randolph, Ray, Smith, Sullivan, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford, Wilson and Womble—46.

The Committee recommends the adoption of section 211, as amended; 212 to 215 inclusive; and 216.

The Committee recommends the adoption of article 3 as a whole, as amended by the Committee.

In article 4, the Committee recommends the adoption of sections 300 to 340 inclusive—and the article as a whole.

In article 2, section 109, as amended, and article 2 as a whole, as amended.

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute remains on the Calendar for its further consideration.

On motion of Mr. Galloway, H. B. 517, a bill to be entitled An act to allow persons having deposits in closed banks to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks, is taken from the Unfavorable Calendar, and placed on the Calendar.

On motion of Mr. Bowie, the House takes a recess until 8:00 o'clock tonight.

## NIGHT SESSION

House of Representatives, Wednesday Night, April 12, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Brawley and Neal: H. B. 1291, A bill to be entitled An act to consolidated under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products the collecting of gasoline taxes, and enforcement of the motor vehicle laws.

Referred to the Committee on Judiciary No. 1.

By Mr. Ruark: H. B. 1292, A bill to be entitled An act to regulate fishing in Brunswick County.

Referred to the Committee on Commercial Fisheries.

## SENATE MESSAGES

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 463, A bill to be entitled An act to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violations.

Referred to the Committee on Judiciary No. 2.

S. B. 476, A bill to be entitled An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

Referred to the Committee on Penal Institutions.

S. B. 528, A bill to be entitled An act to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County and to permit the Board of Commissioners of Anson County to advertise delinquent taxpayers.

Placed on the Calendar.

S. B. 535, A bill to be entitled An act to provide for the issuance of revenue anticipation notes of the County of Guilford and for the execution of said notes by facsimile signatures of the officers of said County.

Referred to the Committee on Finance.

S. B. 545, A bill to be entitled An act to amend chapter 343, Private Laws of North Carolina, section 31 and subsection "C" thereof, relating to the primaries of the Town of Lumberton.

Referred to the Committee on Calendar.

S. B. 547, A bill to be entitled An act to amend S. B. 313, ratified on the 20th day of March, 1933, the same being An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

On motion of Mr. Thompson of Beaufort, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

#### SPECIAL MESSAGES

SENATE CHAMBER, April 12, 1933.

Mr. Speaker:

Pursuant to your request, we are returning herewith H. B. 1163, title, "Relating to the payment of assessments for street improvements in the Town of Williamston," for further consideration by your Honorable Body.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

Having been recalled from the Senate, on motion of Mr. Smith, the vote by which the bill passed its third reading is reconsidered. On motion of Mr. Smith, the bill is laid on the table.

> SENATE CHAMBER, April 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendment to Senate Bill 361, "To repeal sections 5800, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in the State supported institutions of higher learning," and asks for a conference thereon.

The President has appointed as Conferees on the part of the Senate, Senators Long and Clement.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

Pursuant to above information, the Speaker appoints as Conferees on the part of the House, Messrs. Graham, Allen, and Murphy, and the Senate is so notified.

> SENATE CHAMBER, April 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed, on the part of the Senate, Senators Francis and Bell to act as Conferees with your Appointees to consider the differences arising on H. B. 334, title, "To authorize the Towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system," and to adjust the same.

## Respectfully,

LEROY MARTIN, Clerk of the Senate.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1136, A bill to be entitled An act to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the Municipal Court of the City of High Point.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 518, A bill to be entitled An act to authorize the issuance of scrip by Lee County.

On motion of Mr. Doughton, the bill is taken from the Committee on Finance, and placed on the Calendar.

H. B. 1223, A bill to be entitled An act to regulate and fix the salaries of the officers of Alamance County.

Mr. Gilliam offers a substitute for the bill.

Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 1230, A bill to be entitled An act abolishing tax penalties in Macon County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1236, A bill to be entitled An act to prevent trespass upon the lands of another in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1243, A bill to be entitled An act to promote the listing and collection of taxes on unlisted property in Wake County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1246, A bill to be entitled An act to validate sales of land for taxes by the County of Surry and the several incorporated towns therein.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1258, A bill to be entitled An act giving the County Commissioners of Currituck County the authority to fix the salaries of the officers and employees of said County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1259, A bill to be entitled An act to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1260, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes providing an additional term of court for Perquimans County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1165, A bill to be entitled An act to repeal chapter 171, Private Laws of 1923, appointing trustees for School District No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the Clerk of the Superior Ccurt of Haywood County to convey title to a certain lot of land in said Township.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1286, A bill to be entitled An act to authorize the Board of Education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 373, A bill to be entitled An act to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public Laws of 1931, relative to the Recorder's Court of Reidsville Township, fixing the salaries respectively of the Recorder and Solicitor of said Court.

Passes its second and third readings, and is ordered Enrolled.

S. B. 456, A bill to be entitled An act relating to the collection of the amount due the Town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

Passes its second and third readings, and is ordered Enrolled.

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expense.

On motion of Mr. Womble, the bill is recommitted to the Committee on Finance.

S. B. 475, A bill to be entitled An act to authorize the governing agencies in Wayne County to acquire their own obligations.

Passes its second and third readings, and is ordered Enrolled.

S. B. 497, A bill to be entitled An act supplemental to and amendatory of House Bill No. 914, known as the Machinery Bill, ratified April 3, 1933.

On motion of Mr. Gilliam, the bill is laid on the Table.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Doughton, the House goes into Committee of the Whole for the purpose of considering the substitute bill, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Gattis, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 5, Mr. Bowie sends forward an amendment to strike out the article. No progress is made.

Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Cherry, the House goes into Committee of the Whole for the purpose of further considering the substitute bill, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Bowie, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report of the Committee of the Whole: Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute heretofore adopted, a bill to be entitled An act to raise revenue, reports progress as follows:

In article 5, of the amendment offered at its last sitting by Mr. Bowie to strike out the article, commonly known as the General Sales Tax, the Committee recommends the adoption of the amendment by the following Roll Call vote:

Those voting in the affirmative are: Messrs. Allen, Bean, Berryman, Binford, Bowie, Boyd, Brock, Cherry, Cover, Culpepper, Dowtin of Warren, Eagles, Eaton, Edwards, English, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Haynes, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Monroe, Moss, Moye, McLauchlin, Newman, Olive, Phillips, Scarborough, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Woodall, Woodfin and Young—59.

Those voting in the negative are: Messrs. Arndt, Aycock of Wayne, Beasley, Bender, Braddy, Cameron, Coffey, Cox, Crews, Davis, Dees, Doughton of Alleghany, Etheridge, Everett, Gilliam, Grady, Greer, Griffin, Groves, Harris, Hamilton, Howell, Hoyle, James, Martin, Mebane, Mizzell, Moore, Morphew, Murphy, McEachern, Neal, Oaks, O'Berry, Randolph, Ray, Rouse, Sigmon, Smith, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford, White, Wilson and Womble—46.

The following pairs are announced:

Mr. Brawley with Mr. Lumpkin—were Mr. Lumpkin present he would vote "aye," Mr. Brawley would vote "no."

Mr. Brown with Mr. Massenburg—were Mr. Massenburg present he would vote "no," Mr. Brown would vote "aye."

Mr. Douglass with Mr. Aycock of Wake—were Mr. Aycock of Wake present he would vote "no," Mr. Douglass would vote "aye."

Mr. Gattis with Mr. Barden—were Mr. Barden present he would vote "aye," Mr. Gattis would vote "no."

Mr. Pope with Mr. Boswell—were Mr. Boswell present he would vote "aye," Mr. Pope would vote "no."

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute bill remains on the Calendar for its further consideration.

On motion of Mr. Bowie, the House adjourns and will meet tomorrow at 11:00 o'clock a.m.

# EIGHTY-SIXTH DAY

House of Representatives, Thursday, April 13, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. Edgar Goold of Raleigh, North Carolina.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mrs. Mebane, for the the Committee on Public Welfare:

S. B. 398, A bill to be entitled An act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies and prescribing the powers, rights and duties thereof; creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities,

prescribing and defining the powers and duties of the Board, including supervisory and regulatory powers over limited devidend housing companies engaged in such activities; authorizing the Board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

With a favorable report, as amended.

By Mr. Hamilton, for the Committee on Propositions and Grievances:

H. B. 936, A bill to be entitled An act to regulate rewards for the capture of stills.

And,

H. B. 422, A bill to be entitled An act to prohibit State officials and employees from engaging in occupations or practicing professions outside of their regular course of employment with the State; and to prohibit State officials from engaging in primary political campaigns, except in their own behalf for reëlection; and to prohibit such officials from receiving any campaign contribution, concession, benefit or aid in any political primary campaign or election from any person, firm or corporation whose or which business or any transaction connected with such business comes, directly or indirectly, under the supervision, regulation, control, directly or indirectly, of such State official and for other purposes.

With unfavorable reports.

And,

H. B. 1190, A bill to be entitled An act to amend section 3189 of the Consolidated Statutes, so as to eliminate the necessity of kissing the Bible when taking an oath.

And.

S. B. 402, A bill to be entitled An act relating to the closing of certain stores and filling stations in Pitt County.

And.

S. B. 455, A bill to be entitled An act to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

And,

S. B. 150, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties.

And,

H. B. 1027, A bill to be entitled An act to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.

And,

H. B. 981, A bill to be entitled An act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

And,

H. B. 1111, A bill to be entitled An act relating to the use of profane language on the public highways of Gates County.

With favorable reports.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 942, A bill to be entitled An ac to amend chapter 348 of Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

The Committee recommends that the bill be recommitted to the Committee on Judiciary No. 1.

It is so ordered.

And,

H. B. 1135, A bill to be entitled an Act to amend chapter 99, Public Laws, 1931, relative to contracts for auditing and accounting to be awarded to the lowest bidder.

With unfavorable report as to the bill; favorable as to the Committee substitute, as amended.

And.

H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1889 and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the Town of Windsor in Bertie County.

With a favorable report.

By Mr. Young, for the Committee on Courts and Judicial Districts:

H. B. 1216, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, as amended by Chapter 207, Public Laws, 1927, and chapter 173, Public Laws, 1929, relating to terms of court for Rutherford and Yancey counties.

And.

H. B. 1049, A bill to be entitled An act to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes, and amendments thereto, relating to Municipal Recorders' Courts, to extend the criminal and civil jurisdiction of the Recorder's Court of Wendell to include all of Mark's Creek Township and St. Matthew's Township in Wake County and to provide for the election of Recorder of said Court.

And.

H. B. 1072, A bill to be entitled An act to amend section 1443 of Volume III of Consolidated Statutes, as amended by chapter 123, Public Laws, 1929, providing an additional term of court for Northampton County.

And,

H. B. 1185, A bill to be entitled An act to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

And.

S. B. 510, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to terms of court of Catawba County.

And,

S. B. 390, A bill to be entitled An act to provide two additional terms of Civil Court for Rowan County.

With favorable reports.

By Mr. Doughton, for the Committee on Finance:

H. B. 1285, A bill to be entitled An act to allow the Commissioners of Henderson County to accept bonds in payment of certain taxes.

With a favorable report.

By Mr. Sigman, for the Committee on Insane Asylums:

S. B. 410, A bill to be entitled An act to amend section 1 of chapter 265 of the Public Laws of 1929 and section 6185 of the Consolidated Statutes in order to make provision for the care of the Negro feeble-minded.

With a favorable report.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 1282, A bill to be entitled An act to validate the acts of E. D. Gooch as a Justice of the Peace in and for Granville County.

And,

S. B. 536, A bill to be entitled An act to empower the Board of Aldermen of the City of Statesville and the Board of Commissioners of Iredell County to confer upon the Recorder's Court of Iredell County the jurisdiction of the Mayor's Court of the City of Statesville.

And,

S. B. 460, A bill to be entitled An act to amend chapter 122, Public Laws, 1927, article 3, section 15, sub-section F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.

And,

H. B. 1291, A bill to be entitled An act to consolidate under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles; the inspection of gasoline and other petroleum products, the collection of gasoline taxes and the enforcement of the Motor Vehicle Laws.

With favorable reports.

And,

H. B. 1188, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes, relating to the reopening of judicial and other sales on advance bid.

And,

S. B. 513, A bill to be entitled An act to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the Library of the University of North Carolina.

With favorable reports, as amended.

By Mr. Graham, for the Committee on Education:

H. B. 1227, A bill to be entitled An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

With a favorable report, as amended.

And.

S. B. 449, A bill to be entitled An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local-Tax School District and defining its powers and duties."

With unfavorable report as to bill; favorable as to the House Committee Substitute.

And.

S. B. 530, A bill to be entitled An act to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County. With a favorable report.

And,

S. B. 425, A bill to be entitled An act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.

With unfavorable report.

By Mr. Makepeace, for the Committee on Game:

H. B. 699, A bill to be entitled An act to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

And.

H. B. 807, A bill to be entitled An act regulating hunting license in Hyde County.

And,

H. B. 1065, A bill to be entitled An act to regulate fox hunting in Macon County.

And,

S. B. 435, A bill to be entitled An act supplemental to and amending an Act ratified March 20, 1933, it being H. B. 698 and entitled "An Act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners."

With favorable reports.

And.

H. B. 1157, A bill to be entitled An act to amend the North Carolina Game Law in the particulars mentioned below, the said amendments in this act to apply to Alamance County only.

With unfavorable report.

And.

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

With a favorable report, as amended.

By Mr. Dees, for the Committee on Oyster Industry:

S. B. 507, A bill to be entitled An act to amend section 1908 of the Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms.

With a favorable report.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 1261, A bill to be entitled An act to prohibit the use of long-haul or drag nets by power in portions of Bay River and Neuse River, Pamlico County.

With a favorable report.

#### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 1228, A bill to be entitled An act to validate the acts of certain Justices of the Peace in Macon County.

H. B. 1229, A bill to be entitled An act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

H. B. 1258, A bill to be entitled An act giving the County Commissioners of Currituck County the authority to fix the salaries of the officers and employees of said county.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Thomas: H. B. 1293, A bill to be entitled An act to fix the compensation of the Sheriff of Anson County for the collection of taxes.

Placed on the Calendar.

By Mr. Lee: H. B. 1294, A bill to be entitled An act regulating the salaries of the Sheriff, Register of Deeds, Clerk of Court and other officers of Sampson County.

Referred to Committee on Salaries and Fees.

By Mr. Culpepper: H. B. 1295, A bill to be entitled An act to regulate peddling in the City of Elizabeth City.

Referred to Committee on Finance.

By Mr. Hutchins: H. B. 1296, A bill to be entitled An act to postpone tax sales in Yancey County.

Referred to Committee on Calendar.

By Mr. Tompkins: H. B. 1297, A bill to be entitled An act to amend Senate bill 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act.

Referred to Committee on Calendar.

By Mr. Gardner: H. B. 1298, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Oaks: H. B. 1299, A bill to be entitled An act to amend section 6054 of Volume III of the Consolidated Statutes, exempting Avery County from the Primary Law for candidates for county offices.

Placed on the Calendar.

By Mr. Cover: H. B. 1300, A bill to be entitled An act to amend H. B. 1217, entitled "An act to amend the fishing laws as to Cherokee County," ratified April 10, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sprinkle: H. B. 1301, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Referred to Committee on Calendar.

And.

H. B. 1302, A bill to be entitled An act to amend H. B. 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein."

Placed on the Calendar.

By Mr. Turner of Iredell: H. B. 1303, A bill to be entitled An act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.

Referred to Committee on Drainage.

By Mr. Thompson of Beaufort: H. B. 1304, A bill to be entitled An act regulating and providing for election of trustees of the University of North Carolina, and to amend section 5789 of Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws, 1931.

Placed on the Calendar.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Senate Committee substitute for: H. B. 743, A bill to be entitled An act relating to the salaries of the officers of Vance County.

For concurrence in the Senate substitute.

On motion of Mr. Falkner, the House fails to concur in the Senate substitute, and asks for a conference. The Speaker appoints as conferees on the part of the House: Messrs. Allen, Falkner and Dowtin, and the Senate is so notified.

H. B. 1225, A bill to be entitled An act to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 431, A bill to be entitled An act to amend chapter 462 of the Public-Local Laws of 1915, relative to domestic fowls running at large, in Stock Law territory in Pitt County.

On motion of Mr. Flanagan, the bill is laid on the table.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Faulkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gattis, Gilliam, Grady, Graham, Grant Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

S. B. 528, A bill to be entitled An act to extend the time for attachment of penalties for the nonpayment of taxes for the year 1932 in Anson County and to permit the Board of Commissioners of Anson County to advertise delinquent taxpayers.

The bill passes its first reading and remains on the Calendar for its second reading roll call.

S. B. 493, A bill to be entitled An act for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square townships of Northampton County.

An amendment offered by Mr. White is adopted, and the bill remains on the Calendar for its second reading roll call, the amendment being a material one.

S. B. 504, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Thomasville.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Faulkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

S. B. 518, A bill to be entitled An act to authorize the issuance of scrip by Lee County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Faulkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

S. B. 505, A bill to be entitled An act providing for special levy for special purposes in Warren County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Faulkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

S. B. 453, A bill to be entitled An act to provide for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the City of Goldsboro.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Faulkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gattis, Gilliam, Grady, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram,

James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—103.

Those voting in the negative are: None.

Committee substitute for: H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Cherry, the House goes into Committee of the Whole for the further purpose of considering the substitute bill, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Brawley, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

# Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, A bill to be entitled An act to raise revenue, reports progress as follows:

On an amendment carrying a selective commodity tax, offered by Messrs. Newman, Olive, Turner of Guilford, Warlick and Thompson of Columbus, in lieu of article 5, previously stricken out, the Committee reports no progress.

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute bill remains on the Calendar for its further consideration.

On motion of Mr. White, S. B. 276, A bill to be entitled An act to amend section 2015 of the Consolidated Statutes of North Carolina, relating to fishing in Roanoke River, is taken from the Committee on Conservation and Development, and placed on the Calendar.

#### SPECIAL MESSAGE FROM THE SENATE

Mr. Speaker:

SENATE CHAMBER, April 13, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate: Senators McDuffee and Blackstock to act as conferees with your appointees to consider the difference arising on H. B. 743, title "Relating to the salaries of the officers of Vance County," and to adjust the same.

Respectifully,

LEROY MARTIN, Clerk of the Senate.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 373, An act to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public-Local Laws of 1931, relative to the Recorder's Court of Reidsville Township, fixing the salaries, respectively, of the Recorder and Solicitor of said court.

S. B. 374, An act to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

S. B. 420, An act to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

S. B. 448, An act validating certain deeds and deeds of trust registered in the office of the Register of Deeds for Vance County.

S. B. 456, An act relating to the collection of the amount due the Town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

S. B. 474, An act to amend Senate bill No. 175 relating to the office of Treasurer-Tax Collector of Mecklenburg County.

S. B. 475, An act to authorize the governing agencies in Wayne County to acquire their own obligations.

S. B. 488, An act to fix and regulate the court costs and witness fees in the Recorder's Court of Iredell County.

S. B. 499, An act to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.

S. B. 508, An act to amend chapter 44 of the Private Laws of North Carolina, 1907, relating to the charter of the Town of Garland, Sampson County, so that the officers of said town shall be elected biennially instead of annually.

S. B. 515, An act to amend the charter of the Town of Belhaven, Beaufort County, being chapter 246, Private Laws of 1907.

S. B. 547, An act to amend Senate bill 313, ratified on the 20th day of March, 1933, the same being An act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

H. R. 1270, A joint resolution requesting the advisory opinion of the Chief Justice and Associate Justices of the Supreme Court upon House Bill 879, providing for the calling of a convention of the people of North Carolina, for the purpose of considering the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

H. B. 1177, An act to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerely doing business in North Carolina.

H. B. 1257, An act relating to elections and the holding of second primaries in the City of Kinston.

H. B. 1275, An act to amend Senate bill 175, the same being "A bill to be entitled An act to create the office of Treasurer-Tax Collector of Mecklenburg County, and Collector of Revenue for the City of Charlotte, pre-

scribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified April 3, 1933.

On motion of Mr. Doughton, the House takes a recess until three o'clock.

# AFTERNOON SESSION

House of Representatives, Thursday Afternoon, April 13, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for: H. B. 120, A bill to be entitled An act to raise revenue.

On motion of Mr. Cherry, the House goes into Committee of the Whole for the purpose of further considering the bill, section by section, Mr. Moss presiding.

After consideration by the Committee, on motion of Mr. Cherry, the Committee of the Whole rises, and the House is called to order by Mr. Speaker Harris.

Mr. Moss makes the following report for the Committee of the Whole:

Mr. Speaker:

Your Committee having under consideration H. B. 120, the same being a substitute, heretofore adopted, A bill to be entitled An act to raise revenue, reports progress as follows:

On the selected commodity sales tax amendment, offered at its last sitting, the Committee fails to recommend its adoption by the following roll call vote:

Those voting in the affirmative are: Messrs. Arndt, Barden, Bean, Beasley, Bender, Brown, Dees, Dowtin of Warren, Edwards, English, Everett, Flanagan, Galloway, Gardner, Garibaldi, Gatling, Gattis, Gilliam, Griffin, Hoyle, Ingram, Johnson of Chatham, Lumpkin, Moore, Moss, Newman, Olive, Ruark, Sigmon, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Vann, Warlick, White and Woodall—36.

Those voting in the negative are: Messrs. Allen, Aycock of Wayne, Binford, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffee, Cover, Cowles, Cox, Crews, Davis, Doughton of Alleghany, Douglass, Eagles, Eaton, Ewing, Falkner, Froneberger, Garrou, Graeber, Grant, Groves, Harris, Hamilton, Haynes, Howell, James, Johnson of Pender, Lee, Martin, Mebane, Mizzell, Monroe, Morphew, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Thompson of Beaufort, Tompkins, Watson, Williams, Wilson, Womble and Woodfin—65.

The following pairs are announced:

Mr. Etheridge with Mr. Graham—were Mr. Graham present, he would vote "aye," Mr. Etheridge would vote "no."

Mr. Taylor of Currituck with Mr. Boswell—were Mr. Boswell present, he would vote "no," Mr. Taylor of Currituck would vote "aye."

Mr. Thompson of Columbus with Mr. Grady—were Mr. Grady present, he would vote "no," Mr. Thompson of Columbus would vote "aye."

Mr. Turner of Guilford with Mr. Culpepper—were Mr. Culpepper present, he would vote "no," Mr. Turner of Guilford would vote "aye."

Member voting present: Mr. Berryman.

The Committee recommends the adoption of article 6, as written.

The Committee recommends the adoption of the bill as a whole, as amended.

# Respectfully,

Mr. Moss, Chairman.

On motion of Mr. Moss, the report is adopted, and the substitute bill, as amended, passes its first reading, and remains on the Calendar for its second reading roll call.

On motion of Mr. Cherry, the House adjourns, and will meet tomorrow at ten o'clock a.m.

# EIGHTY-SEVENTH DAY

House of Representatives, Friday, April 14, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. R. Walker of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct and the same stands approved.

On motion of Mr. McEachern, Page Harris, son of the Speaker of the House, Hon. R. L. Harris, is made an Honorary Page of the House.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Howell, Ingram and Tompkins: H. B. 1305, A bill to be entitled An act to amend Senate bill No. 313, entitled "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified the 20th day of March, 1933, by exempting the counties of Haywood, Jackson and Macon from the provisions.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Olive: H. B. 1306, A bill to be entitled An act to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes relating to public libraries.

Referred to the Committee on Education.

And,

H. B. 1307, A bill to be entitled An act declaring the policy of the State of North Carolina in respect to the use, protection and development of the waterpower resources thereof and providing for the creation of "The Hydro-Electric Power Commission of North Carolina," to effectuate the same by the manufacturing and for distribution of hydro-electric power for the benefit of the people of the State as a whole.

Referred to the Committee on Conservation and Development.

By Messrs. Cover and Ingram: H. B. 1308, A bill to be entitled An act relating to court procedure in Cherokee, Clay and Macon counties.

Passed first reading.

Rules suspended.

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Passes its second and third readings and ordered sent to Senate Without Engrossment.

By Mr. Flanagan: H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

Referred to the Committee on Judiciary No. 1.

By Mr. Gardner: H. B. 1310, A bill to be entitled An act to amend House bill 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempt from said act; to extend the time for bringing tax foreclosure suits and to simplify the method of foreclosing said certificates in Cleveland County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without

By Mr. Oaks: H. B. 1311, A bill to be entitled An act to place Mrs. Emma Horney of Avery County, widow of Sol Horney, a Confederate Veteran, on the Pension Roll.

Referred to the Committee on Pensions.

And,

H. B. 1312, A bill to be entitled An act to create and establish a General County Court for Avery County.

Referred to the Committee on Courts and Judicial Districts.

By Mr. Womble: H. B. 1313. A bill to be entitled An act to protect vendors of personal property upon installment payment plan.

Referred to the Committee on Judiciary No. 2.

By Mr. Taylor of Currituck: H. B. 1314, A bill to be entitled An act to authorize the issuance of scrip by Currituck County.

Referred to the Committee on Finance.

By Messrs. Ewing, English and Young: H. B. 1315, A bill to be entitled An act to amend the North Carolina Game Laws relating to hunting preserves.

Referred to the Committee on Game.

By Mr. Lumpkin: H. B. 1316, A bill to be entitled An act to amend House bill No. 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the Clerk of the Superior Court of Franklin County.

Referred to the Committee on Calendar.

By Messrs. Morphew, Makepeace and Eagles: H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

Referred to the Committee on Banks and Banking.

By Mr. Lee: H. B. 1318, A bill to be entitled An act authorizing a special tax levy for the expense of revaluing property in Sampson County.

Referred to the Committee on Finance.

And,

H. B. 1319, A bill to be entitled An act to amend Senate bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities or other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933, so as to exempt Sampson County.

Referred to the Committee on Calendar.

And.

H. B. 1320, A bill to be entitled An act regulating the collection of delinquent taxes in Sampson County.

Referred to the Committee on Calendar.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 242, A bill to be entitled An act to amend section 10, chapter 135, Public Laws of North Carolina, Session 1925, relating to removal of cases in courts of Justices of Peace.

For concurrence in the Senate amendment.

On motion of Mr. Taylor of Mecklenburg the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 241, A bill to be entitled An act to amend section 1498 of the Consolidated Statutes relating to removal of cases in courts of Justices of Peace.

For concurrence in the Senate amendment.

On motion of Mr. Taylor of Mecklenburg, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 406, A bill to be entitled An act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930, and prior years, in Buncombe County.

For concurrence in the Senate amendment.

On motion of Mr. Sullivan, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 840, A bill to be entitled An act for the relief of property owners in the Mattamuskeet Drainage District.

For concurrence in the Senate amendment.

On motion of Mr. Davis, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 379, A bill to be entitled An act relating to the Board of County Commissioners of Buncombe County, fixing their duties.

Referred to the Committee on Counties, Cities and Towns.

S. B. 441, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes relating to courts of Wayne County.

Referred to the Committee on Courts and Judicial Districts.

S. B. 516, A bill to be entitled An act supplemental to and amendatory of H. B. No. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

Referred to the Committee on Finance.

S. B. 529, A bill to be entitled An act to amend section 6196 of the Consolidated Statutes relating to questions to be answered and certified to superintendents of State hospitals for the insane.

Referred to the Committee on Insane Asylums.

Senate Committee substitute for: H. B. 975, A bill to be entitled An act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

For concurrence in the Senate substitute.

On motion of Mr. Sullivan, the Senate substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House bill is laid on the table.

S. B. 532, A bill to be entitled An act to amend chapter 51, Private Laws, Extra Session 1913, and to authorize and empower the Board of Commissioners of the Town of Rowland to extend the time of payment of street and sidewalk assessments.

Referred to the Committee on Finance.

S. B. 537, A bill to be entitled An act relating to the revaluation of property in Vance County.

Referred to the Committee on Finance.

S. B. 558, A bill to be entitled An act to allow the shipment and storage of legalized beverages in the State of North Carolina.

On motion of Mr. Boyd, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 240, A bill to be entitled An act to amend section 1569 of the Consolidated Statutes, relating to removal of cases in courts of Justices of Peace.

For concurrence in Senate amendment.

On motion of Mr. Taylor of Mecklenburg, the House concurs in Senate amendment, and the bill is ordered Enrolled.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 699, A bill to be entitled An act to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residence of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 807, A bill to be entitled An act regulating hunting license in Hyde County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 981, A bill to be entitled An act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1027, A bill to be entitled An act to make the provisions of section 1864 of Volume III, the Consolidated Statutes, relating to depredations of domestic fowls applicable to Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1049, A bill to be entitled An act to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes and amendments thereto, relating to municipal Recorders' Courts to extend the criminal and civil jurisdiction of the Recorder's Court of Wendell, to include all of Mark's Creek Township and St. Mathew's Township in Wake County and to provide for the election of a Recorder for said court.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1065, A bill to be entitled An act to regulate fox hunting in Macon County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1111, A bill to be entitled An act relating to the use of profane language on the public highways of Gates County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1261, A bill to be entitled An act to prohibit the use of long haul or drag nets by power in portions of Bay River and Neuse River, Pamlico County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1282, A bill to be entitled An act to validate the acts of E. D. Gooch as a Justice of the Peace in and for Granville County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1285, A bill to be entitled An act to allow the Commissioners of Henderson County to accept bonds in payment of certain taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1293, A bill to be entitled An act to fix the compensation of the Sheriff of Anson County for the collection of taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1299, A bill to be entitled An act to amend section 6054 of Volume III of the Consolidated Statutes exempting Avery County from the Primary Law for candidates for county offices.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 390, A bill to be entitled An act to provide two additional terms of civil court for Rowan County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 455, A bill to be entitled An act to amend chapter 114 of the Private Laws of 1929 relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1302, A bill to be entitled An act to amend House bill 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein."

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 435, A bill to be entitled An act supplemental to and amending An act ratified March 20, 1933, it being House bill No. 698 and entitled "An act to amend chapter 431 of Public-Local Laws of 1927 and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners.

Passes its second and third readings, and is ordered Enrolled.

S. B. 530, A bill to be entitled An act to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County.

On motion of Mr. Makepeace, the bill is recommitted to the Committee on Education.

S. B. 536, A bill to be entitled An act to empower the Board of Aldermen of the City of Statesville and the Board of Commissioners of Iredell County to confer upon the Recorder's Court of Iredell County the jurisdiction of the Mayor's Court of the City of Statesville.

Passes its second and third readings, and is ordered Enrolled.

S. B. 150, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes relating to compensation for damages done by dogs in Mitchell and Avery counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 402, A bill to be entitled An act relating to the closing of certain stores and filling stations in Pitt County.

Passes its second and third readings, and is ordered Enrolled.

Senate substitute for: H. B. 498, A bill to be entitled An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust. For concurrence in the Senate substitute.

On motion of Mr. Crews, the Senate substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House bill is laid on the table.

H. B. 920, A bill to be entitled An act to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

For concurrence in the Senate amendment.

On motion of Mr. Randolph, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

Committee substitute for: H. B. 538, A bill to be entitled An act to further regulate the manufacture, sale, inspection and distribution of com-

mercial fertilizer and fertilizer materials in the State of North Carolina, and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers, and further provide a penalty for the punishment of violations of the ferailizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer, and for other purposes.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Braddy, Brock, Brown, Cameron, Cowles, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gilliam, Grady, Graeber, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Moss, Moye, Murphy, McEachern, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Scarborough, Sigman, Spruill, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: Mr. Gattis-1.

H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1889, and chapter 231, Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the Town of Windsor in Bertie County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed and sent to the Senate:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 504, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Thomasville.

Passes its third reading by the following vote and is ordered Enrolled:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 505, A bill to be entitled An act providing for special levy for special purposes in Warren County.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass. Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner

of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young-91.

Those voting in the negative are: None.

S. B. 518, A bill to be entitled An act to authorize the issuance of scrip for Lee County.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 453, A bill to be entitled An act to provide for the manner of the payment of certain street, sidewalk and sewer assessment liens in the City of Goldsboro.

Passes its third reading by the following vote and is ordered Enrolled: Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 493, A bill to be entitled An act for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing,

Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 528, A bill to be entitled An act to extend the time for attachment of penalties for the nonpayment of taxes for the year 1932 in Anson County and to permit the Board of Commissioners of Anson County to advertise delinquent taxpayers.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young—91.

Those voting in the negative are: None.

S. B. 535, A bill to be entitled An act to provide for the issuance of revenue anticipation notes of the County of Guilford and for the execution of said notes by facsimile signatures of the officers of said county.

On motion of Mr. Doughton, the bill is recalled from the Committee on Finance, and placed on its immediate passage.

The bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, English, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graeber, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McEachern, Neal, Oaks, Olive, Pope, Randolph, Ray, Rouse, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner

of Iredell, Vann, Warlick, Watson, White, Womble, Woodall, Woodfin and Young-91.

Those voting in the negative are: None.

House substitute for: S. B. 449, A bill to be entitled An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District, and defining its powers and duties.

House Committee substitute adopted, and remains on the Calendar for its second reading roll call.

Committee substitute for: H. B. 120, A bill to be entitled An act to raise revenue.

The question now recurs upon the passage of the substitue bill on its second reading, as amended.

On motion of Mr. Murphy, the substitute and original bill are recommitted to the Committee on Finance, with the instruction that a sub-committee of seven be appointed to rewrite article 5, which has been eliminated by the House.

#### COMMITTEE APPOINTMENT

The Speaker announces the appointment of Mr. Grant of New Hanover on the Finance Committee.

# CONFERENCE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned, your Committee appointed to consider and adjust the differences arising on House bill No. 550, title, "To regulate the automobile liability rates," do recommend the following:

That the Senate recede from its amendment.

D. H. BLAND,
T. S. CROSS,
Conferees on Part of Senate.
R. G. JOHNSON,
HUBERT E. OLIVE,

L. CLAYTON GRANT,

Conferees on Part of House.

On motion of Mr. Johnson of Pender, the report is adopted, and the Senate is so notified to the end that if a similar report is adopted the bill will be ordered Enrolled.

On motion of Mr. Thomas, H. B. 1058, A bill to be entitled An act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States by payment of interest to the Department of North Carolina United Spanish War Veterans, is taken from the Committee on Pensions and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Culpepper, H. B. 1295, A bill to be entitled An act to regulate peddling in the City of Elizabeth City is taken from the Finance Committee and placed on the Calendar.

Mr. Olive makes a motion that the House adjourn until 10 o'clock tomorrow, and that when it adjourns tomorrow it do so until Monday night at 8 o'clock, and that when it adjourns Monday night it do so until Tuesday night at 8 o'clock, and further that no public bills be considered by the House until Tuesday night.

It is so ordered.

## EIGHTY-EIGHTH DAY

House of Representatives, Saturday, April 15, 1933.

The Speaker being absent, the House is called to order by Principal Clerk Thad Eure, who calls Mr. Sullivan, designated by Speaker Harris as Speaker pro tempore, to the Chair.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Turner, of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

On motion of Mr. Sigmon, the House adjourns until Monday night at 8:00 o'clock p.m.

# EIGHTY-NINTH DAY

House of Representatives, Monday Night, April 17, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Sullivan: H. B. 1321, A bill to be entitled An act to allow persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### SENATE MESSAGES

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 451, A bill to be entitled An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes.

Referred to the Committee on Finance.

S. B. 490, A bill to be entitled An act to create a building code council for North Carolina.

Referred to the Committee on Insurance.

S. R. 557, Joint resolution concerning Honorable J. R. Baggett.

Placed on the Calendar.

S. B. 561, A bill to be entitled An act to amend H. B. 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, Session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County."

Referred to the Committee on Counties, Cities and Towns.

Senate Committee substitute for: H. B. 962, A bill to be entitled An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

Placed on the Calendar for concurrence in Senate Substitute.

H. B. 1260, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.

Placed on the Calendar for concurrence in Senate amendment.

#### SPECIAL MESSAGE FROM THE SENATE

Mr. Speaker:

SENATE CHAMBER, April 15, 1933

It is ordered that a message be sent to the House of Representatives informing your Honorable Body that the Senate has adopted the Conferees' Report on H. B. 550, title, "To provide for the regulation of automobile liability insurance rates," to the end that you may order the bill Enrolled if similar action has been taken by your body.

#### Respectfully,

LEROY MARTIN, Clerk of the Senate.

The House having adopted a similar report, and in receipt of the above information, the bill is ordered Enrolled.

On motion of Mr. Galloway, H. B. 913, a bill to be entitled An act to require the State Highway Commission to place certain public county roads in Transylvania County on the State maintained list and maintain same, is taken from the Committee on Roads and placed on the Calendar.

On motion of Mr. Cherry, the House adjourns and will meet tomorrow night at 8:00 o'clock p.m.

## NINETIETH DAY

House of Representatives, Tuesday Night, April 18, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Rev. O. L. Riggs of the City of Raleigh.

Mr. Thomas, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Cherry, for the Committee on Finance:

H. B. 120, A bill to be entitled An act to raise revenue.

With an unfavorable report as to bill; favorable as to the Committee substitute, as amended.

On motion of Mr. Cherry, the bill is taken up for its immediate consideration.

The question now recurs upon the adoption of the Committee substitute. The Committee substitute is adopted.

The question now recurs upon the adoption of the Committee amendment, said amendment being the article carrying a two per cent general sales tax. On this Mr. Bowie calls for the "ayes" and "noes." The call is sustained, and the Committee amendment is adopted by the following vote:

Those voting in the affirmative are: Messrs. Aycock of Wake, Barden, Bender, Braddy, Brawley, Cameron, Cherry, Coffey, Cox, Crews, Davis, Dees, Doughton of Alleghany, Eagles, Etheridge, Everett, Gatling, Gattis, Grady, Grant, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, James, Martin, Massenburg, Mizzell, Moore, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Stevens, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—51.

Those voting in the negative are: Messrs. Allen, Arndt, Bean, Bowie, Boyd, Brock, Brown, Culpepper, Douglass, Dowtin of Warren, Eaton, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Graeber, Graham, Harris, Haynes, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Mebane, Monroe, McLauchlin, Newman, Phillips, Scarborough, Spruill, Sullivan, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Woodall, Woodfin and Young—49.

The following pairs are announced:

Mr. Binford with Mr. Sigmon—were Mr. Sigmon present, he would vote "aye," Mr. Binford would vote "no."

Mr. Ledford with Mr. Gilliam—were Mr. Ledford present, he would vote "no," Mr. Gilliam would vote "aye."

Mr. Morphew with Mr. Cover—were Mr. Cover present, he would vote "no," Mr. Morphew would vote "aye."

Mr. Moye with Mr. Smith—were Mr. Smith present, he would vote "aye," Mr. Moye would vote "no."

Mr. Thompson of Robeson with Mr. Beasley—were Mr. Beasley present, he would vote "aye," Mr. Thompson of Robeson would vote "no."

The question now recurs upon the adoption of the Committee substitute, as amended.

The Committee substitute, as amended, is adopted, and the substitute bill passes its first reading, and remains on the Calendar for its second reading roll call.

By Mr. Gattis, for the Committee on Health:

H. B. 1194, A bill to be entitled An act to make safe the operation of swimming pools and bathing resorts in North Carolina.

With a favorable report, as amended.

And.

H. B. 1204, A bill to be entitled An act to amend Article 12, chapter 110 of the Consolidated Statutes of North Carolina, as amended, so as to regulate the business of funeral directors in the State of North Carolina.

And.

S. B. 457, A bill to be entitled An act to prevent the misbranding of milk or cream.

And.

H. B. 1126, A bill to be entitled An act requiring the vaccination of dogs against rabies.

With favorable reports.

And.

H. B. 765, A bill to be entitled An act to protect families and the public from the spread of certain infectious diseases.

And.

H. B. 1240, A bill to be entitled An act to prevent the spread and communication of venereal diseases; and to amend and supplement chapter 206 of the Public Laws of 1919.

And.

H. B. 791, A bill to be entitled An act to repeal chapter 322, Public-Local Laws, 1931, being An act to create a Board of Health for Madison County.

With unfavorable reports.

And.

S. B. 318, A bill to be entitled An act to improve the sanitary conditions of the manufacture of bedding.

Bill reported without prejudice.

#### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 945, A bill to be entitled An act providing for certain special tax in Jackson County. (Applicable also to the Counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell.)

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Bowie: H. B. 1322, A bill to be entitled An act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay.

Placed on the Calendar.

By Mr. Taylor of Mecklenburg: H. B. 1323, A bill to be entitled An act to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Beaufort: H. B. 1324, A bill to be entitled An act to regulate sanitary conditions of seine beaches in Beaufort County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Moore, Hoyle and Turner of Guilford: H. B. 1325, A bill to be entitled An act to amend chapter 576 of the Public-Local Laws of 1919, relative to fees of the Clerk of Superior Court of Guilford County.

Referred to Committee on Salaries and Fees.

By Messrs. Vann, Brown and Gatling: H. B. 1326, A bill to be entitled An act relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.

Referred to Committee on Calendar.

By Mr. Ray: H. B. 1327, A bill to be entitled An act to allow the Commissioners of the Town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

Referred to Committee on Finance.

By Mr. Turner of Iredell: H. B. 1328, A bill to be entitled An act to protect pheasants in the County of Iredell.

Referred to Committee on Game.

# MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 483, A bill to be entitled An act to authorize the Trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

Referred to the Committee on Finance.

S. B. 564, A bill to be entitled An act supplemental to and amendatory of S. B. 332, being "An act to authorize, empower and direct the Sheriff and Collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes," ratified March 13, 1933.

On motion of Mr. Young, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Senate Substitute for:

H. B. 962, A bill to be entitled An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said County in accordance with the current standard of prices, wages and salaries.

For adoption of the Senate Substitute.

On motion of Mr. Haynes, the Senate Substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House Bill is laid on the Table.

House Substitute for:

S. B. 449, A bill to be entitled An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local-Tax School District and defining its powers and duties."

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Womble, Woodall, Woodfin and Young—84.

Those voting in the negative are: None.

H. B. 1295, A bill to be entitled An act to regulate peddling in the City of Elizabeth City.

Passes its second reading by the following vote, and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips,

Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Womble, Woodall, Woodfin and Young—84.

Those voting in the negative are: None.

S. B. 535, A bill to be entitled An act to provide for the issuance of revenue anticipation notes of the County of Guilford and for the execution of said notes by facsimile signatures of the officers of said County.

Passes its third reading by the following vote and is ordered Enrolled. Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Womble, Woodall, Woodfin and Young—84.

Those voting in the negative are: None.

S. B. 528, A bill to be entitled An act to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County, and to permit the Board of Commissioners of Anson County to advertise delinquent taxpayers.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Womble, Woodall, Woodfin and Young—84.

Those voting in the negative are: None.

H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the Town of Windsor in Bertie County.

Passes its third reading by the following vote, and sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Etheridge, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Scarborough, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Williams, Womble, Woodall, Woodfin and Young—84.

Those voting in the negative are: None.

#### ENROLLED BILLS

Mr. Woodfin, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 327, An act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

S. B. 534, An act to require municipal elections in the Town of Roanoke Rapids, Halifax County, North Carolina, to be held under the provisions of the General Election Law, providing for a secret ballot and to prescribe the method of becoming a candidate for a municipal office in said Town.

H. B. 231, An act to amend section 2494, Volume III of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the register of deeds of the home county of the groom.

H. B. 465, An act to appoint a member of the Board of Education of Jones County.

H. B. 833, An act to appoint trustees for Andrews School District in Cherokee County.

H. B. 1087, An act to amend section 6649, of the Consolidated Statutes of North Carolina, Session of 1919, relating to the practice of dentistry.

H. B. 1154, An act to provide for the reorganization of banks in North Carolina.

H. B. 1196, An act to fix the term of office of the Mayor and Commissioners of the City of Saluda and to fix the Mayor's salary.

H. B. 1197, An act supplemental to House Bill 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and redefining the duties of the Sheriff of Polk County and fixing his salary."

H. B. 1213, An act to validate sales of real estate for taxes in Caldwell County.

H. B. 1215, An act governing the nomination and election of County Commissioners of Pamlico County.

- H. B. 1219, An act to create and appoint a board of trustees for the Aurora Graded School District.
- H. B. 1245, An act to amend House Bill 671 of the General Assembly of 1933, entitled "An act to amend section 1, chapter 2, of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina.
- H. B. 1256, An act to authorize the County Commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson
  - H. B. 1279, An act to amend the Machinery Act of 1933.
- S. B. 150, An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties.
- S. B. 390, An act to provide two additional terms of Civil Court for Rowan County.
- S. B. 402, An act relating to the closing of certain stores and filling stations in Pitt County.
- S. B. 435, An act supplemental to and amending, An act ratified March 20, 1933, it being House Bill No. 698 and entitled, "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners."
- S. B. 443, An act validating the action of the Commissioners of Macon County in postponing the sale of land for taxes in said County.
- S. B. 453. An act to provide for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the City of Goldsboro.
- S. B. 455, An act to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.
- H. B. 498, An act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.
- S. B. 504, An act relating to the extension of time for payment of special assessments levied by the City of Thomasville.
- S. B. 505, An act providing for special levy for special purposes in Warren County.
  - S. B. 518, An act to authorize the issuance of scrip by Lee County.
- S. B. 536, An act to empower the Board of Aldermen of the City of Statesville and the Board of Commissioners of Iredell County to confer upon the Recorder's Court of Iredell County the jurisdiction of the Mayor's Court of the City of Statesville.
- S. B. 558, An act to allow the shipment and storage of legalized beverages in the State of North Carolina.
- H. B. 240, An act to amend section 1569 of the Consolidated Statutes, relating to removal of cases in Courts of Justices of the Peace.
- H. B. 241, An act to amend section 1498 of the Consolidated Statutes relating to removal of cases in Courts of Justices of the Peace.
- H. B. 242, An act to amend section 10, chapter 135, Public Laws of North Carolina, Session 1925, relating to removal of cases in Courts of Justices of Peace.

Session

H. B. 406, An act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County.

H. B. 840, An act for the relief of property owners in the Mattamuskeet Drainage District.

H. B. 1181, An act to amend the official regulations governing the sale of fresh meats in the City of Raleigh and Wake County.

H. B. 1226, An act to amend House Bill 997, being "An act to appoint a board of revaluation and review in Yancey County."

H. B. 1248, An act to correct some uncertainty in the location of the line between the Counties of Wilkes and Alleghany.

H. B. 1276, An act to provide for election in the Town of Trenton, Jones County.

H. B. 1278, An act to regulate the costs in criminal actions in Courts of Justice of the Peace for Richmond County.

H. B. 1293, An act to fix the compensation of the Sheriff of Anson County for the collection of taxes.

H. B. 1305, An act to amend Senate Bill No. 313, entitled "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified the 20th day of March, 1933, by exempting the Counties of Haywood, Jackson and Macon from the provision.

H. B. 1321, An act to allow persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

H. B. 125, An act to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

On motion of Mr. Cherry, the House adjourns, and will meet tomorrow at ten o'clock a.m.

# NINETY-FIRST DAY

House of Representatives, Wednesday, April 19, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. C. T. Thrift of the City of Durham.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar.

H. B. 1269, A bill to be entitled An act to repeal Senate Bill No. 158, the same being "A bill to be entitled An act providing for the inspection of meats

and meat markets in the village of Haw River, in Alamance County," ratified February 20, 1933.

And,

H. B. 1296, A bill to be entitled An act to postpone tax sales in Yancey County.

And,

H. B. 1297, A bill to be entitled An act to amend Senate Bill 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act.

And,

H. B. 1301, A bill to be entitled An act to amend Senate Bill No. 180, Session of 1933, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

And,

S. B. 545, A bill to be entitled An act to amend chapter 343, Private Laws of North Carolina, section 31 and subsection "C" thereof, relating to the primaries of the Town of Lumberton.

With favorable reports.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Martin: H. B. 1329, A bill to be entitled An act to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the City of Asheville.

Placed on the Calendar.

By Mr. Taylor of Mecklenburg: H. B. 1330, A bill to be entitled An act to provide an extended public school term in the City of Charlotte, and to amend chapter 75, Private Laws, Extra Session of 1913, and section 206, chapter 342, Private Laws of North Carolina, Session 1907.

Placed on the Calendar.

By Messrs. Galloway and Tompkins: H. B. 1331, A bill to be entitled  ${\bf An}$  act to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "Milk Sickness," and to charge a reasonable fee thereof.

Referred to the Committee on Health.

By Messrs. Woodfin, Cowles and Brock: H. B. 1332, A bill to be entitled An act to allow fishing in the streams of Wilkes, Alexander and Davie counties with trot lines and baskets.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Lumpkin: H. B. 1333, A bill to be entitled An act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said County.

Referred to the Committee on Calendar.

By Mr. Flanagan: H. B. 1334, A bill to be entitled An act relating to remission of penalties on 1932 taxes in Pitt County.

Referred to the Committee on Finance.

By Messrs. Womble and Aycock of Wake: H. B. 1335, A bill to be entitled An act to submit to the voters of the City of Raleigh the question of increasing the terms of office of the City Commissioners from two to four years.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ewing by request: H. B. 1336, A bill to be entitled An act to amend chapter 1, Public Laws of 1921, relating to and regulating the practice of engineering and land surveying.

Referred to the Committee on Conservation and Development.

By Mr. Froneberger: H. B. 1337, A bill to be entitled An act to authorize and fix attorneys' fees in connection with tax foreclosure proceedings and/or suits.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to the Senate without Engrossment.

And,

H. B. 1338, A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Passed first reading.

Rules suspended.

Passes its second and third readings, and ordered sent to the Senate without Engrossment.

## MESSAGES FROM THE SENATE

A mesage is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 540, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Concord.

Referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1260, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes providing an additional term of court for Perquimans County.

For concurrence in the Senate Amendment.

On motion of Mr. Brown, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

House Committee Substitute for:

S. B. 449, A bill to be entitled An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District, and defining its powers and duties.

Passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Substitute:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Gatling, Gilliam, Graeber, Greer, Hamilton, Haynes, Howell, Hutchins, Ingram, Johnson of Chatham, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McLauchlin, Neal, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robinson, Tompkins, Turner of Iredell, Vann, Wilson, Womble, Woodall and Woodfin—77.

Those voting in the negative are: None.

H. B. 1295, A bill to be entitled An act to regulate peddling in the City of Elizabeth City.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Gatling, Gilliam, Graeber, Greer, Hamilton, Haynes, Howell, Hutchins, Ingram, Johnson of Chatham, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McLauchlin, Neal, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robinson, Tompkins, Turner of Iredell, Vann, Wilson, Womble, Woodall and Woodfin—77.

Those voting in the negative are: None.

H. B. 1322, A bill to be entitled An act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion to the ability of the taxpayers to pay.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Gatling, Gilliam, Graeber, Greer, Hamilton, Haynes, Howell, Hutchins, Ingram, Johnson of Chatham, Lumpkin, Makepeace, Martin, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McLauchlin, Neal, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robinson, Tompkins, Turner of Iredell, Vann, Wilson, Womble, Woodall and Woodfin—77.

Those voting in the negative are: None.

Committee Substitute for H. B. 538, A bill to be entitled An act to further regulate the manufacture, sale, inspection and distribution of commercial

fertilizer materials in the State of North Carolina, and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers, and further provide a penalty for the punishment of violations of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties, to extend the Commissioner's authority in inspecting fertilizers, for other purposes.

An amendment offered by Mr. Ewing is adopted.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmaive are: Mr. Speaker, Messrs, Arndt, Aycock of Wayne, Bean, Bender, Binford, Boswell, Bowie, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Ewing, Falkner, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Greer, Griffin, Hamilton, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McLauchlin, Neal, O'Berry, Phillips, Pope, Randolph, Rouse, Ruark, Smith, Sprinkle, Stevens, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Woodall, Woodfin and Young—77.

Those voting in the negative are: None.

The original bill is laid on the Table.

Committee Substitute for H. B. 120, A bill to be entitled An act to raise revenue.

The question now recurs upon the passage of the Substitute Bill, as amended, on its second reading.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

An amendment offered by Mr. Olive is lost.

An amendment is offered by Mr. Bowie to strike out the article commonly known as the General Sales Tax, and upon its adoption Mr. Bowie calls for the "ayes" and "noes."

The call is sustained and the amendment is lost by the following vote:

Those voting in the affirmative are: Messrs. Allen, Binford, Bowie, Boyd, Brock, Brown, Cover, Cowles, Douglass, Dowtin of Warren, Eaton, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Graham, Haynes, Ingram, Johnson of Chatham, Lee, Makepeace, Mebane, McLauchlin, Nèwman, Scarborough, Sprinkle, Sullivan, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Woodall and Woodfin—41.

Those voting in the negative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bender, Braddy, Brawley, Cameron, Cherry, Coffey, Cox, Crews, Davis, Dees, Doughton of Alleghany, Eagles, Etheridge, Garrou, Gilliam, Grady, Graeber, Grant, Griffin, Groves, Harris, Howell, Hoyle, Hutchins, James, Lumpkin, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Smith, Stevens, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—55.

The following pairs are announced:

Mr. Johnson of Pender with Mr. White—were Mr. White present, he would vote "no," Mr. Johnson of Pender would vote "aye."

Mr. McEachern with Mr. Young—were Mr. Young present, he would vote "aye," Mr. McEachern would vote "no."

Mr. Thompson of Robeson with Mr. Beasley—were Mr. Beasley present, he would vote "no," Mr. Thompson of Robeson would vote "aye."

Mr. Williams with Mr. Everett—were Mr. Everett present, he would vote "no," Mr. Williams would vote "aye."

The following Members vote present:

Mr. Berryman, Mr. Boswell.

An amendment offered by Mr. Scarborough is lost.

An amendment offered by Mr. Douglass is lost.

An amendment is offered by Mr. Davis to eliminate meat, flour, etc., and upon its adoption Mr. Watson calls for the "ayes" and "noes."

The call is sustained and the amendment is lost by the following vote: Those voting in the affirmative are: Messrs. Allen, Aycock of Wayne, Barden, Berryman, Binford, Boswell, Bowie, Boyd, Brock, Brown, Cameron, Cowles, Davis, Dees, Douglass, Dowtin of Warren, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Garibaldi, Gatling, Graham, Griffin, Haynes, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Mebane, Moye, McLauchlin, Rouse, Scarborough, Sprinkle, Stevens, Sullivan, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Woodall and Woodfin—49.

Those voting in the negative are: Messrs. Arndt, Aycock of Wake, Bender, Braddy, Brawley, Cherry, Coffey, Cover, Cox, Crews, Doughton of Alleghany, Eagles, Etheridge, Garrou, Gilliam, Grady, Graeber, Grant, Greer, Groves, Harris, Hamilton, Howell, Hoyle, Hutchins, James, Martin, Massenburg, Mizzell, Moore, Morphew, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Ruark, Smith, Taylor of Currituck, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—51.

The following pair is announced:

Mr. Johnson of Pender with Mr. White—were Mr. White present, he would vote "no," Mr. Johnson of Pender would vote "aye."

The question now recurs upon the passage of the Substitute Bill, as amended, on its second reading.

The Substitute Bill, as amended, passes its second reading by the following vote, and remains on the Calendar for its third reading Roll call.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bender, Boswell, Braddy, Brawley, Cameron, Cherry, Coffey, Cox, Crews, Davis, Dees, Doughton of Alleghany, Eagles, Etheridge, Garrou, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, James, Johnson of Chatham, Martin, Massenburg, Mizzell, Morphew, Moye, Murphy, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Smith, Stevens, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—56.

Those voting in the negative are: Messrs. Allen, Berryman, Binford, Bowie, Boyd, Brock, Brown, Cover, Cowles, Douglass, Dowtin of Warren, Eaton, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner,

Garibaldi, Gatling, Graham, Haynes, Ingram, Lee, Lumpkin, Makepeace, Mebane, McLauchlin, Newman, Scarborough, Sprinkle, Sullivan, Taylor of Mecklenburg, Thomas, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Woodall and Woodfin—42.

The following pairs are announced:

Mr. Johnson of Pender with Mr. White—were Mr. White present, he would vote "aye," Mr. Johnson of Pender would vote "no."

Mr. English with Mr. Moore—were Mr. English present, he would vote "no," Mr. Moore would vote "aye."

Mr. McEachern with Mr. Young—were Mr. Young present, he would vote "no," Mr. McEachern would vote "aye."

Mr. Ray with Mr. Spruill—were Mr. Spruill present, he would vote "no," Mr. Ray would vote "aye."

Mr. Taylor of Currituck with Mr. Moss—were Mr. Moss present he would vote "no," Mr. Taylor of Currituck would vote "aye."

Mr. Thompson of Robeson with Mr. Beasley—were Mr. Beasley present, he would vote "aye," Mr. Thompson of Robeson would vote "no."

Mr. Williams with Mr. Everett—were Mr. Everett present, he would vote "aye," Mr. Williams would vote "no."

On motion of Mr. Brawley, H. B. 920, A bill to be entitled An act to amend section 220 (B) of the Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations, is ordered recalled from the Enrolling Office for further consideration by the House.

### ENROLLED BILLS

Mr. Woodfin, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 550, An act to provide for the regulation of automobile liability insurance rates.

H. B. 866, An act to authorize the Cities of Greensboro and High Point to issue funding and refunding bonds.

H. B. 1161, An act relating to the payment of township highway bonds in Rutherford County.

H. B. 1207, An act to define the boundaries of Morehead City Harbor, to provide for the appointment of a harbor master and pilots, and to regulate pilotage fees.

S. B. 528, An act to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County and to permit the Board of Commissioners of Anson County to advertise delinquent taxpayers.

On motion of Mr. Johnson of Chatham, the House adjourns and will meet tomorrow at 11 o'clock a.m.

# NINETY-SECOND DAY

House of Representatives, Thursday, April 20, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. James W. Sneeden of Aurora, North Carolina.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Ewing, for the Committee on Conservation and Development:

H. B. 656, A bill to be entitled An act to permit the fishing with more than one hook, line and pole, but not more than six, at the same time in the water courses of Durham County.

With a favorable report, as amended.

On motion of Mr. Everett, the bill is placed on its immediate passage. A Committee amendment is adopted.

As amended, the bill passes its second and third readings and is ordered Engrossed and sent to the Senate.

By Mr. Doughton, for the Committee on Finance:

H. B. 23, A bill to be entitled An act relating to and providing for an extension of time for the payment of taxes and interest charges upon delinquent taxes in Hyde County.

And,

H. B. 1318, A bill to be entitled An act authorizing a special tax levy for the expenses of revaluing property in Sampson County.

And,

H. B. 1171, A bill to be entitled An act to permit the manufacture of light wine and beer in accordance with the National Prohibition Act, in the State of North Carolina.

With unfavorable reports.

And

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

And.

S. B. 437, A bill to be entitled An act to amend chapter 131, Public-Local Laws, 1931, relating to special assessments levied by the City of High Point.

And,

S. B. 540, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Concord.

And,

S. B. 516, A bill to be entitled An act supplemental to and amendatory of House Bill No. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

And,

H. B. 1314, A bill to be entitled An act to authorize the issuance of scrip by Currituck County.

And.

H. B. 1334, A bill to be entitled An act relating to remission of penalties on 1932 taxes in Pitt County.

And.

S. B. 451, A bill to be entitled An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes.

And,

S. B. 532, A bill to be entitled An act to amend chapter 51, Private Laws, Extra Session, 1913, and to authorize and empower the Board of Commissioners of the Town of Rowland to extend the time of payment of street and sidewalk assessments.

And,

S. B. 537, A bill to be entitled An act relating to the revaluation of property in Vance County.

And,

H. B. 1327, A bill to be entitled An act to allow the Commissioners of the Town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

With favorable reports.

And.

S. B. 483, A bill to be entitled An act to authorize the Trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

With a favorable report.

On motion of Mr. Doughton, the bill is placed on its immediate passage. Passes its second and third readings and is ordered Enrolled.

By Mr. Bowie, for the Committee on Election Laws:

H. B. 1096, A bill to be entitled An act to abolish second primaries in all elections in North Carolina.

On motion of Mr. Bowie, the bill is taken from the Committee on Election Laws, and placed on the Calendar.

And,

H. B. 1208, A bill to be entitled An act to amend section 5960 of the Consolidated Statutes, relating to absentee voting.

On motion of Mr. Bowie, the bill is taken from the Committee on Election Laws and placed on the Calendar.

By Mr. Allen, for the Committee on Salaries and Fees:

H. B. 1325, A bill to be entitled An act to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the Clerk of the Superior Court of Guilford County.

And.

H. B. 1294, A bill to be entitled An act regulating the salaries of the Sheriff, Register of Deeds, Clerk of the Court and other officers in Sampson County.

With favorable reports.

And,

H. B. 1122, A bill to be entitled An act to repeal chapter 62 of the Public-Local Laws of 1929, relative to the salary of the Sheriff of Currituck County. With an unfavorable report.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 1187, A bill to be entitled An act to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

With a favorable report.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

H. B. 1313, A bill to be entitled An act to protect vendors of personal property upon installment payment plan.

With a favorable report, as amended.

By Mr. Neal, for the Committee on Counties, Cities and Towns:

H. B. 1290, A bill to be entitled An act to amend chapter 59 of the Private Laws of 1931, and chapter 208 of the Private Laws of 1927, relating to the salary of the Mayor of the Town of Warsaw in Duplin County.

And.

S. B. 561, A bill to be entitled An act to amend H. B. 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County."

With favorable reports.

By Mr. McEachern, for the Committee on Agriculture:

S. B. 376, A bill to be entitled An act to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina.

And,

S. B. 380, A bill to be entitled An act to amend chapter 2532, Consolidated Statutes of North Carolina, relating to tolls by public mills in Pender County.

And,

H. B. 853, A bill to be entitled An act to provide conditions under which a farm agent or farm demostrator may be employed in Yancey County.

With favorable reports.

And.

S. B. 506, A bill to be entitled An act to amend section 1864 (a) Consolidated Statutes of North Carolina so as to exempt certain portions of land in Onslow County from the provisions of the Stock Law.

And,

H. B. 464, A bill to be entitled An act requiring cotton and certain other agricultural products to be baled in cotton bags.

And,

H. R. 724, Joint Resolution requesting the Senators and Representatives in Congress from North Carolina to secure the enactment of a tariff on jute, sisal and bear grass products.

And,

H. B. 944, A bill to be entitled An act relating to and governing contracts between landlord and tenant in agricultural tenancies.

With unfavorable reports.

By Mr. Martin, for the Committee on Judiciary No. 1:

S. B. 429, A bill to be entitled An act for the relief of J. F. Martin, former Sheriff of Anson County.

And.

H. B. 310, A bill to be entitled An act to repeal sections 1786, 1787 and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt" Statutes, and to substitute in lieu thereof a new statute.

And.

H. B. 942, A bill to be entitled An act to amend chapter 348 of Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

With favorable reports.

And

H. B. 1058, A bill to be entitled An act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to Veterans of the Spanish American War from time of their call to duty in 1898 until their muster into service of the United States, by payment of interest to the Department of North Carolina United Spanish War Veterans.

With an unfavorable report as to bill, favorable as to the committee substitute.

By Mr. Flanagan, for the Committee on Penal Institutions:

S. B. 476, A bill to be entitled An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

With a favorable report,

By Mr. Graham, for the Committee on Education:

H. B. 1306, A bill to be entitled An act to amend sections 2694, 2696, 2697, 2699, and 2702 of the Consolidated Statutes, relating to public libraries.

With a favorable report, as amended.

By Mr. Thomas, for the Committee on Pensions:

H. B. 360, A bill to be entitled An act to amend section 5168 (j) of chapter 92, Volume III, Consolidated Statutes of North Carolina, as amended by chapter 300 of the Public Laws of North Carolina, Session of 1929, relating to pensions for widows of Confederate Veterans.

And.

H. B. 92, A bill to be entitled An act to amend chapter 96, Public Laws of 1927, relative to pensions of widows of Confederate soldiers.

And,

H. B. 398, A bill to be entitled An act to pay part of the burial expenses of Miles M. Briant, a Confederate Veteran of Transylvania County.

And,

H. B. 1186, A bill to be entitled An act to pay burial expenses of Sallie Keener, wife of Ephriam Keener, a Confederate Veteran. With unfavorable reports.

#### CONFERENCE REPORT

REPORT OF THE HOUSE CONFERENCE COMMITTEE ON SENATE BILL NO. 115,
RELATIVE TO THE REGULATION OF PUBLIC UTILITIES

Mr. Speaker:

The Committee of Conferees on the disagreeing votes of the two Houses on the amendments of the House to Senate Bill No. 115, relative to the regulation of public utilities, having met, after full and free conference, have agreed to recommend, and do recommend, to their respective Houses as follows:

- 1. That the House recede from Amendment No. 1, reading as follows: "Amend S. B. 115 by adding the following:
- 34-A. That said Court shall fix a schedule of prices or rates for gas, electricity and telephone, which shall not be changed except upon order of said Court, which shall yield a return of not to exceed eight per centum per annum on the cost of the plant, as may be determined from time to time by order of said Court, after payment of all operating expenses, and reasonable depreciation of said plant, provided, however, that in fixing such prices the Court shall take into consideration any indebtedness upon said plant not to exceed the value thereof, to the end that actual valuations and not stock manipulators shall control, and duplicate credits shall not be allowed in ascertaining the valuations which said return of eight per centum per annul shall be allowed.
- 34.B. That in addition to the powers hereby conferred said Court shall have jurisdiction to inquire into, investigate, determine and regulate the financial structure of any public utility and/or its subsidiary and auxiliaries, and upon a determination that the financial structure of any such public utility and/or its subsidiary or auxiliary is so arranged as to prejudicially affect the public, said Court shall enter an order requiring the termination of such prejudicial structure, and upon a failure to timely so to do, said Court may enter an order terminating the license or franchise of such public utility.

  Committee Amendment.
- 2. That the Senate concur in the amendment reading as follows: "Section 21, change 'sixty days' to 'thirty days' in both places. Insert a new section as No. 28:

"'Section 28. If a commission or other agency or agencies is empowered by another state to regulate and control the amount and character of securities to be issued by any public utility within such other state, then the Corporation Commission of the State of North Carolina shall have the power to agree with such commission or other agency or agencies of such other state on the issue of stocks, bonds, notes or other evidences of indebtedness by a public utility owning or operating a public utility both in such state and in this State, and shall have the power to approve such issue

jointly with such commission or other agency or agencies and to issue joint certificate of such approval; provided, however, that no such joint approval shall be required in order to express the consent to and approval of such issue by the State of North Carolina if said issue is separately approved by the Corporation Commission of the State of North Carolina.'

"Change the numbers of sections 28 to 37 inclusive to 29 to 38 inclusive."

Committee Amendment.

J. С. Sмітн,

D. EMERSON SCARBOROUGH,

R. O. EVERETT,

(Signed) House Conference Committee.

L. T. Hartsell. Jr., John Sprunt Hill, Senate Conference Committee.

On motion of Mr. Smith, the report is adopted, and the Senate is so notified, to the end that if they adopt a similar report they may order the bill Enrolled.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Crews, Cox and James: H. B. 1339, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Mizzell: H. B. 1340, A bill to be entitled An act to incorporate the Town of Cherry in Washington County.

Placed on the Calendar.

By Mr. Thomas: H. B. 1341, A bill to be entitled An act to place the names of certain Confederate soldiers and widows of Confederate soldiers on the Pension List.

Placed on the Calendar.

By Mr. Woodall: H. B. 1342, A bill to be entitled An act to provide for the nomination of the officers of the Town of Benson, Johnston County, by a primary instead of by a convention.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Boyd, Garibaldi, and Taylor of Mecklenburg: H. B. 1343, A bill to be entitled An act to repeal Senate Bill 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Culpepper: H. B. 1344, A bill to be entitled An act to amend chapter 15, Private Laws 1923, relative to the Charter of the City of Elizabeth City.

Placed on the Calendar.

By Mr. Griffin: H. B. 1345, A bill to be entitled An act regulating fishing in Lake Lure, Chimney Rock Township, Rutherford County, North Carolina. Placed on the Calendar.

By Mr. Howell: H. B. 1346, A bill to be entitled An act to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said sections.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cover: H. B. 1347, A bill to be entitled An act to provide for the assessment and the collection of a specific tax upon deficiency judgments occuring from the foreclosure of all liens founded upon and evidenced by mortgages on real estate, land contracts or other liens upon real estate, and to repeal all Acts and parts of Acts in contravention thereto.

Placed on the Calendar.

By Messrs. Watson and Moss: H. B. 1348, A bill to be entitled An act to empower the Board of Aldermen of the City of Rocky Mount to relieve churches of paving assessments.

Placed on the Calendar.

By Mr. Sullivan: H. B. 1349, A bill to be entitled 'An act to amend chapter 149 of the Private Laws of North Carolina, Session 1931, being "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties."

Placed on the Calendar.

By Mr. Greer: H. B. 1350, A bill to be entitled An act to release church property in the Town of Boone, Watauga County, from the payment of street and sidewalk paying assessments.

Referred to the Committee on Finance.

By Mr. Cowles by request: H. B. 1351, A bill to be entitled An act to place Mrs. Harriet Casey of Wilkes County, widow of Henry Casey, a Confederate Veteran, on the Pension Roll.

Referred to the Committee on Pensions.

By Mr. Woodfin: H. B. 1352, A bill to be entitled An act providing for a special tax levy in Alexander County for special purposes.

Placed on the Calendar.

By Mr. Neal: H. B. 1353, A bill to be entitled An act to abolish the office of the Treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said County.

Referred to the Committee on Calendar.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 566, A bill to be entitled An act to authorize the County Commissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County.

Placed on the Calendar.

S. B. 567, A bill to be entitled An act to amend H. B. 507, entitled "An act to authorize, empower, and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes," ratified February 28, 1933.

Placed on the Calendar.

S. B. 568, A bill to be entitled An act relative to fox hunting in Halifax County.

Referred to the Committee on Game.

S. B. 569, A bill to be entitled An act to amend An act entitled "An act to allow the counties and other governing agencies to refund tax sale certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.

Referred to the Committee on Calendar.

S. B. 570, A bill to be entitled An act to require the County Commissioners of Durham County to reduce the salaries of county officers.

Referred to the Committee on Counties, Cities and Towns.

S. B. 573, A bill to be entitled An act supplemental to and amendatory of H. B. 249, it being "An act to grant a new charter for the Town of Pinebluff, Moore County, North Carolina," ratified March 1, 1933.

Referred to the Committee on Calendar.

S. B. 577, A bill to be entitled An act to amend S. B. 10, being a bill to be entitled An act to provide a method for the readjustment of the indebtedness of the counties and municipalities with creditors and holders of securities by exempting Forsyth County, the municipalities and political subdivisions therein from its provisions.

On motion of Mr. Crews, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 578, A bill to be entitled An act to amend H. B. 914, entitled An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money by exempting Forsyth County from certain provisions thereof.

On motion of Mr. Crews, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 579, A bill to be entitled An act to amend H. B. 158, entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes by exempting Forsyth County, the municipalities and political subdivisions therein from the provisions contained therein.

On motion of Mr. Crews, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1269, A bill to be entitled An act to repeal Senate Bill 158, the same being "A bill to be entitled An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County," ratified February 20, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1296, A bill to be entitled An act to postpone tax sales in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1297, A bill to be entitled An act to amend Senate Bill 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1301, A bill to be entitled An act to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

On motion of Mr. Sprinkle, the bill is laid on the Table.

H. B. 1142, A bill to be entitled An act limiting the Boards of Education to a membership of three.

Mr. Thompson of Beaufort offers a substitute for the bill.

The question now recurs upon the adoption of the substitute bill.

The substitute is adopted.

An amendment offered by Mr. Barden is lost.

An amendment offered by Mr. Thompson of Robeson is lost.

The substitute bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 1237, A bill to be entitled An act to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 545, A bill to be entitled An act to amend chapter 343, Private Laws of North Carolina, section 31, and subsection "C" thereof, relating to the primaries of the Town of Lumberton.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1329, A bill to be entitled An act to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the City of Asheville.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor, of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Woodfin—100.

Those voting in the negative are: None.

S. B. 540, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Concord.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor, of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Woodfin—100.

H. B. 1330, A bill to be entitled An act to provide an extended public school term in the City of Charlotte, and to amend chapter 75, Private Laws, Extra Session of 1913, and section 206, chapter 342, Private Laws of North Carolina, Session 1907.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Messrs. Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Braddy, Brawley, Cameron, Cherry, Coffey, Cox, Culpepper, Dees, Doughton of Alleghany, Dowtin of Warren, Etheridge, Ewing, Froneberger, Galloway, Gatling, Gattis, Gilliam, Grady, Greer, Groves, Hoyle, Hutchins, James, Johnson of Chatham, Lumpkin, Massenburg, Mebane, Mizzell, Moore, Morphew, Murphy, Oaks, O'Berry, Pope, Randolph, Ruark, Scarborough, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Warlick, Wilson, Womble and Woodall—55.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Arndt, Binford, Boswell, Bowie, Boyd, Cover, Crews, Davis, Douglass, Eagles, Edwards, Everett, Falkner, Flanagan, Gardner, Garibaldi, Garrou, Graeber, Graham, Grant, Griffin, Haynes, Howell, Ingram, Lee, Makepeace, Martin, Monroe, Moye, McLauchlin, Neal, Newman, Olive, Ray, Smith, Stevens, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Watson, Williams and Woodfin—45.

H. B. 1322, A bill to be entitled An act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Everett, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Ray, Rouse, Scarborough, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Woodall, Woodfin and Young—94.

Those voting in the negative are: Mr. Speaker, Messrs. Cherry, Etheridge, Newman, Olive, Turner of Guilford and Womble—7.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

The question now recurs upon the passage of the substitute bill, as amended, on its third reading.

An amendment offered by Mr. Howell is lost.

An amendment offered by Mr. Boyd is lost.

An amendment is offered by Mr. Tompkins, striking out farming implements, food supplies, etc., and upon its adoption, Mr. Tompkins calls for the "ayes" and "noes." The call is sustained and the amendment is lost by the following vote:

Those voting in the affirmative are: Messrs. Allen, Berryman, Binford, Bowie, Brock, Brown, Davis, Dees, Douglass, Dowtin of Warren, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Gatling, Graham, Greer, Haynes, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Monroe, Moye, McLauchlin, Scarborough, Stevens, Sullivan, Thomas, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Woodall and Woodfin—42.

Those voting in the negative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Boyd, Braddy, Brawley, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Doughton of Alleghany, Eagles, Etheridge, Everett, Garibaldi, Garrou, Gattis, Gilliam, Grady, Graeber, Grant, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, James, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman,

Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—65.

An amendment offered by Mr. Davis is ruled out of order by the Chair, the provisions having been defeated in a similar amendment.

Mr. Davis appeals from the ruling of the Chair.

The Chair is sustained.

An amendment is offered by Mr. Newman to strike out the General Sales Tax Article, and substituting the so called Luxury Tax; and upon its adoption, Mr. Newman calls for the "ayes" and "noes." The call is sustained and the amendment is lost by the following vote:

Those voting in the affirmative are: Messrs. Allen, Bean, Bender, Berryman, Braddy, Brown, Dees, Dowtin of Warren, Edwards, Falkner, Flanagan, Galloway, Gatling, Graham, Howell, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Monroe, Newman, Ray, Rouse, Sprinkle, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Turner of Iredell, Vann, Warlick, Williams, Woodall and Woodfin—35.

Those voting in the negative are: Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Binford, Boswell, Bowie, Boyd, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Eagles, Etheridge, Everett, Ewing, Gardner, Garibaldi, Garrou, Gattis, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Harris, Hamilton, Haynes, Hoyle, Hutchins, James, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ruark, Scarborough, Smith, Stevens, Sullivan, Tatem, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Watson, Wilson and Womble—72.

The following pair is announced:

Mr. Young with Mr. Moss—were Mr. Young present he would vote "no," Mr. Moss would vote "aye."

An amendment offered by Mr. Watson to submit the provisions of Article 5 to the people for ratification is lost.

The question now recurs upon the passage of the substitute bill, as amended, on its third reading.

The substitute bill, as amended, passes its third reading by the following vote, and is ordered Engrossed and sent to the Senate:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Beasley, Bender, Boswell, Braddy, Brawley, Cameron, Cherry, Coffey, Cox, Crews, Dees, Doughton of Alleghany, Eagles, Etheridge, Everett, Flanagan, Froneberger, Garrou, Gattis, Gilliam, Grady, Graeber, Grant, Greer, Griffin, Groves, Hamilton, Hoyle, Hutchins, James, Johnson of Chatham, Massenburg, Mizzell, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Ruark, Smith, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Turner of Guilford, Wilson and Womble—62.

Those voting in the negative are: Messrs. Allen, Bean, Berryman, Binford, Bowie, Boyd, Brock, Brown, Cover, Cowles, Culpepper, Davis, Douglass, Dowtin of Warren, Eaton, Edwards, Ewing, Falkner, Galloway, Gardner,

Garibaldi, Gatling, Graham, Haynes, Ingram, Lee, Lumpkin, Makepeace, Monroe, McLauchlin, Newman, Scarborough, Sprinkle, Taylor of Mecklenburg, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, Williams, Woodall and Woodfin—43.

The following pairs are announced:

Mr. Howell with Mr. Sullivan—were Mr. Sullivan present he would vote "no," Mr. Howell would vote "aye."

Mr. Martin with Mrs. Mebane—were Mrs. Mebane present she would vote "no," Mr. Martin would vote "aye."

Mr. Moore with Mr. English—were Mr. English present he would vote "no," Mr. Moore would vote "aye."

Mr. Moss with Mr. Young—were Mr. Young present he would vote "no," Mr. Moss would vote "aye."

Mr. Ray with Mr. Spruill—were Mr. Spruill present he would vote "no," Mr. Ray would vote "aye."

The original bill is laid on the table.

# STATEMENT BY MEMBER

Pursuant to Section 17 of Article 2 of the Constitution, I herewith wish to enter my protest and dissent against the action of the House in the passage of House Bill 120, it being An act to raise revenue at this Session, 1933, for the reason that there are certain features in this bill relative to raising revenue which I am and have been opposed to, both in principle and policy.

I have always opposed the principle of levying any kind of sales tax as a revenue producing item, and I came to this Legislature against the levying of any sales tax whatsoever except as a last resort in balancing the budget of the State of North Carolina. I have always been in favor of State support for public education, as an obligation of the State to give equal opportunity to every class of child in the matter of education. It is my firm belief that education and democracy are dependent one upon the other. After the Finance Committee, having considered all sources of taxes, recommended to the Legislature that the only means by which we could raise sufficient revenue to educate our children, to give suitable maintenance to our unfortunates, to administer the affairs of the State, and above all to safeguard the credit of the State of North Carolina, and that the adoption of a general sales tax was the only alternative by which this Legislature could seek additional revenue other than an ad valorem tax on property, I subrogated my personal opinion and voted for the adoption and passage of the Revenue Bill, which contains the General Sales Tax provision, but for no other reasons than those set out above.

The Revenue bill as finally passed, which was adopted by a majority of the House, carries certain other features which I have unalterably opposed as being unfair and unjust. These features I opposed in the House, sitting as a Committee of the Whole, the same having been adopted by said Committee and incorporated in the Revenue Bill above set forth, and in order that said Revenue Bill must pass its several readings to raise revenue to carry on the different activities of the State, as is mandatory on the Legislature; and although these features to which I am opposed were incorporated therein, I cast my vote in the affirmative to the passage of this bill with the knowledge

that there were incorporated therein many items to which I was personally opposed.

J. S. Massenburg, Representative from Polk County.

On motion of Mr. Cover, S. B. 425, A bill to be entitled An act, relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties, is taken from the Unfavorable Calendar and placed on the Calendar.

### ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 535, An act to provide for the issuance of revenue anticipation notes of the County of Guilford and for the execution of said notes by facsimile signatures of the officers of said County.
- S. B. 564, An act supplemental to and amendatory of Senate Bill 332, being "An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County, and municipalities in said County, to establish a partial payment plan for the collection of taxes," ratified March 13, 1933.
- H. B. 962, An act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said County in accordance with the current standard of prices, wages, and salaries.
- H. B. 975, An act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.
- H. B. 1124, An act to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County.
- H. B. 1136, An act to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the Municipal Court of the City of High Point.
- H. B. 1212, An act to define the boundaries of Kelly Cemetery, Abbotts Township, Bladen County, and to appoint trustees for said cemetery.
- H. B. 1220, An act to amend the Machinery Act of the General Assembly of North Carolina, Session 1933, ratified April 3, 1933.
- H. B. 1260, An act to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.
- H. B. 1263, An act to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in the King High School District, Stokes County.
- H. B. 1308, An act relating to court procedure in Cherokee, Clay and Macon counties.
- S. B. 577, An act to amend Senate Bill No. 10, being a bill to be entitled An act to provide a method for the readjustment of the indebtedness of the counties and municipalities with creditors and holders of securities by exempting Forsyth County, the municipalities and political subdivisions therein from its provisions.

- S. B. 578, An act to amend House Bill 914, entitled An act to provide for the listing and valuing of all property, real, personal and mixed at its true value in money by exempting Forsyth County from certain provisions thereof
- S. B. 579, An act to amend House Bill 158, entitled An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes by exempting Forsyth County, the municipalities and political subdivisions therein from the provisions contained therein.

On motion of Mr. Flanagan, the House adjourns, and will meet tomorrow at 11: o'clock a.m..

# NINETY-THIRD DAY

House of Representatives, Friday, April 21, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Dr. W. McC. White of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Davis, for the Committee on Drainage:

H. B. 1303, A bill to be entitled An act to amend section 5337 of the Consolidated Statutes in regard to appointing Drainage Commissioners for Davidson Creek Drainage District in Iredell County.

With a favorable report.

By Mr. Makepeace, for the Committee on Game:

H. B. 808, A bill to be entitled An act to amend chapter 51, Public Laws of 1927, relating to open season on raccoon and opossum.

And.

H. B. 635, A bill to be entitled An act to regulate the hunting of foxes and/or other wild animals in Madison County.

And,

S. B. 494, A bill to be entitled An act to repeal chapter 181, Public-Local Laws, Extra Session, 1921, relating to hunting squirrels, foxes, opossum and coons in Wilson County and to provide an open season for foxes.

And.

H. B. 1328, A bill to be entitled An act to protect pheasants in the County of Iredell.

With favorable reports.

And,

S. B. 489, A bill to be entitled An act relating to the hunting of foxes in Montgomery County.

And,

S. B. 396, A bill to be entitled An act to amend the North Carolina Game Law.

With unfavorable reports.

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 1238, A bill to be entitled An act to provide for the incorporation, organization and operation of cash depositories in the State of North Carolina in rural or other communities for the safety and convenience of farmers and others desiring convenient banking services.

With unfavorable report.

And,

H. B. 1361, A bill to be entitled An act to amend the Banking Law, so as to give public funds priority of payment in the liquidation of banks.

With a favorable report.

By Mr. Allen, for the Committee on Salaries and Fees:

S. B. 459, A bill to be entitled An act regulating the fees of jurors and witnesses in the courts of Catawba County.

With a favorable report.

By Mr. Lumpkin, for the Committee on Calendar:

H. B. 1316, A bill to be entitled An act to amend H. B. 773, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the Clerk of the Superior Court of Franklin County.

And,

H. B. 1319, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities or other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933, so as to exempt Sampson County.

And,

H. B. 1320, A bill to be entitled An act regulating the collection of delinquent taxes in Sampson County.

And.

H. B. 1353, A bill to be entitled An act to abolish the office of the Treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said County.

And.

H. B. 1333, A bill to be entitled An act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said County.

And,

H. B. 1242, A bill to be entitled An act relating to peddlers of fruits in the Town of Lincolnton, Lincoln County.

And,

And,

S. B. 569, A bill to be entitled An act to amend "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.

S. B. 573, A bill to be entitled An act supplemental to and amendatory of H. B. 249, it being "An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina, ratified March 1, 1933.

And,

H. B. 1326, A bill to be entitled An act relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.

And,

S. B. 391, A bill to be entitled An act to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes, as amended.

With favorable reports.

And.

S. B. 392, A bill to be entitled An act to amend section 2806 of Consolidated Statutes of North Carolina, so as to authorize cities to fix and collect sewerage service charges.

And,

S. B. 393, A bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants.

With favorable reports, as amended.

By Mr. Graham, for the Committee on Education:

H. B. 748, A bill to be entitled An act to create a State Textbook Commission and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

With unfavorable report as to bill; favorable report as to Committee substitute.

# ENGROSSED BILLS

Mr. Sullivan, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

Committee Substitute for:

H. B. 120, A bill to be entitled An act to raise revenue.

H. B. 656, A bill to be entitled An act to permit the fishing with more than one hook, line and pole, but not more than three, at the same time in the water courses of Durham County.

#### HOUSE RESOLUTION

A House Resolution offered by Mr. Sullivan to require the Commissioner of Banks to furnish the General Assembly the names of attorneys employed by said Commissioner, the nature of their employment and the total fees paid said attorneys is adopted.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Murphy: H. B. 1354, A bill to be entitled An act to legalize the transportation and delivery of beer, lager beer, ale, porter, fruit juices

and other brewed and/or fermented beverages, containing not more than three and two-tenths per cent of alcohol by weight, or such other percentage as may conform to any Act of Congress of the United States, and to amend Senate Bill No. 558, Acts of 1933, entitled "An act to allow the shipment and storage of legalized beverages in the State of North Carolina."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Gilliam: H. B. 1355, A bill to be entitled An act to authorize the creation of the office of tax collector for the County of Alamance.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1356, A bill to be entitled An act to fix the compensation of the County Commissioners of Alamance County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Johnson of Chatham: H. B. 1357, A bill to be entitled An act to validate tax sales in Chatham County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engressment.

By Mr. Haynes: H. B. 1358, A bill to be entitled An act for the relief of the Sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1359, A bill to be entitled An act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Olive: H. B. 1360, A bill to be entitled An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said City.

Referred to Committee on Calendar.

By Messrs. O'Berry, Hamilton, Makepeace, Eagles and Flanagan: H. B. 1361, A bill to be entitled An act to amend the Banking Law, so as to give public funds priority of payment in the liquidation of banks.

Referred to the Committee on Banks and Banking.

By Mr. McEachern: H. B. 1362, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes, relative to the Courts of Hoke County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hoyle: H. B. 1363, A bill to be entitled An act to create a public utility district and a district utility corporation for the City of Greensboro and County of Guilford and to define the powers, duties and scope thereof. Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1364, A bill to be entitled An act to fix the salary of the Clerk of the Superior Court of Columbus County.

Placed on the Calendar.

And,

H. B. 1365, A bill to be entitled An act to fix the salary of the Register of Deeds of Columbus County.

Placed on the Calendar.

And,

H. B. 1366, A bill to be entitled An act relating to teachers of vocational education in Columbus County.

Placed on the Calendar.

And.

H. B. 1367, A bill to be entitled An act to repeal cretain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County.

Placed on the Calendar.

By Mr. Gardner: H. B. 1368, A bill to be entitled An act to amend chapter 454 of the Public-Local Laws of 1931, relating to duties of the Clerk of the Recorder's Court of Cleveland County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hamilton: H. B. 1369, A bill to be entitled An act to authorize and empower the Board of Commissioners of the Town of Morehead City to extend the time for payment of special assessments for local improvements.

Placed on the Calendar.

By Mr. Sullivan: H. B. 1370, A bill to be entitled An act to empower the Governing Body of the Town of Weaverville, Buncombe County to relieve churches of paving assessments.

Placed on the Calendar.

By Mr. Randolph: H. B. 1371, A bill to be entitled An act to permit the Aldermen of the Town of Bryson City to make agreements relative to Town funds on deposit in the Bryson City Bank.

Placed on the Calendar.

By Mr. Taylor of Halifax: H. B. 1372, A bill to be entitled An act to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank, held by him, for distribution to the depositors of said Bank.

Referred to Committee on Banks and Banking.

By Mr. Hutchins: H. B. 1373, A bill to be entitled An act to provide for the expenses of revaluation of property in Yancey County.

Referred to Committee on Calendar.

By Mr. Neal: H. B. 1374, A bill to be entitled An act relative to courts in Mitchell and Avery counties.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Culpepper: H. B. 1375, A bill to be entitled An act to provide for the nomination of candidates for the office of County Commissioners of Pasquotank County by the qualified voters of the entire County.

Placed on the Calendar.

By Mr. Barden: H. B. 1376, A bill to be entitled An act to amend chapter 26, Private Laws of 1929, relating to the auditing of the books of the Town of Vanceboro, Craven County, North Carolina.

Placed on the Calendar.

By Mr. Gatling: H. B. 1377, A bill to be entitled An act to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Braddy: H. B. 1378, A bill to be entitled An act to allow the governing bodies of the Towns of Bladenboro and Elizabethtown to refund local improvement assessments.

Placed on the Calendar.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 802, A bill to be entitled An act to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

For concurrence in the Senate Amendment.

On motion of Mr. Tatem, the House concurs in Senate Amendment and the bill is ordered Enrolled.

H. B. 919, A bill to be entitled An act to amend section 220(a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

For concurrence in the Senate Amendment.

On motion of Mr. Randolph, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 958, A bill to be entitled An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorders' Courts in Henderson County.

Placed on the Calendar for concurence in the Senate Amendment.

H. B. 1211, A bill to be entitled An act to change the incorporated boundaries of the Town of Whiteville in Columbus County.

For concurrence in the Senate Amendment.

On motion of Mr. Thompson of Columbus, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1266, A bill to be entitled An act to fix the compensation of the County Attorney for the County of Harnett.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 291, A bill to be entitled An act to amend chapter 333, Public Laws of 1929, relating to nonresident fur dealers' license.

Referred to the Committee on Finance.

S. B. 526, A bill to be entitled An act to amend Finance Committee substitute Bill for S. B. 10, the same being "An act to provide a method of readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 3d day of April, 1933.

On motion of Mr. Olive, the rules are suspended, and the bill is placed on its immediate passage.

An amendment offered by Mr. Martin is adopted.

As amended, the bill passes its second and third readings and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 552, A bill to be entitled An act to preserve and make more secure the Charter rights of Davidson College and its citizenship and student body in relation to the sale of beer, spirits fermenti, or other intoxicants.

On motion of Mr. Taylor of Mecklenburg, the rules are suspended, and the bill is placed on its immediate passage.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 556, A bill to be entitled An act to amend chapter 25 of the Private Laws of 1911, increasing the number of commissioners of the Town of Ellerbe from three to five.

Referred to the Committee on Calendar.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, April 20, 1933.

It is ordered that a message be sent to the House of Representatives, requesting the return of S. B. 469, title "To authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and cost expenses," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of the Senate. On motion of Mr. Hutchins, the bill is ordered returned to the Senate.

SENATE CHAMBER, April 20, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that the Senate has adopted the conference report on S. B. 115, title "To amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities," and awaits notice from your Body as to action taken thereon.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1016, A bill to be entitled An act to create a utility district and a district utility corporation for the City of Asheville and County of Buncombe, and to define the powers, duties and scope thereof.

The question now recurs upon the adoption of the Committee substitute.

The Committee substitute is adopted.

The question now recurs upon the passage of the substitute bill on its second reading.

On this, Mr. Sullivan calls for the "ayes" and "noes."

The call is sustained, and the substitute bill fails to pass its second reading by the following vote.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Berryman, Brown, Cover, Culpepper, Davis, Edwards, Ewing, Froneberger, Galloway, Gardner, Grant, Hoyle, Ingram, Johnson of Pender, Lee, Lumpkin, Moore, Oaks, Olive, Phillips, Randolph, Ray, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Tompkins, Turner of Guilford, Turner of Iredell, Watson, Woodall, Woodfin and Young—34.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Bean, Beasley, Bender, Binford, Brock, Coffey, Cox, Crews, Doughton of Alleghany, Etheridge, Everett, Flanagan, Gatling, Graham, Hamilton, Hutchins, James, Johnson of Chatham, Martin, Mizzell, Monroe, McEachern, Neal, Newman, Pope, Rouse, Sprinkle, Tatem, Thomas, Thompson of Columbus, Thompson of Robeson, Warlick, Wilson and Womble—36.

The following pairs are announced:

Mr. Murphy with Mr. Stevens—were Mr. Stevens present he would vote "aye," Mr. Murphy votes "no."

Mr. Barden with Mr. Bowie—were Mr. Bowie present he would vote "aye," Mr. Barden votes "no."

Mr. Graeber with Mr. Boyd—were Mr. Graeber present he would vote "aye," Mr. Boyd votes "no."

Mr. Ruark with Mr. Braddy—were Mr. Ruark present he would vote "no," Mr. Braddy votes "aye."

Mr. Cherry with Mr. Ledford—were Mr. Ledford present he would vote "no," Mr. Cherry votes "aye."

Mr. Groves with Mr. McLauchlin—were Mr. McLauchlin present he would vote "aye," Mr. Groves votes "no."

Dr. Douglass with Mr. O'Berry—were Mr. O'Berry present he would vote "no," Dr. Douglass votes "aye."

Mr. Smih with Mr. Howell—were Mr. Smith present he would vote "aye," Mr. Howell votes "no."

Mr. Massenburg with Mr. Spruill—were Mr. Spruill present he would vote "aye," Mr. Massenburg votes "no."

Mr. Grady with Mr. Sigmon—were Mr. Sigmon present he would vote "aye," Mr. Grady votes "no."

The following Members vote present: Mrs. Mebane, Messrs. Gilliam and Haynes.

Mr. Martin makes a motion that the vote by which the bill failed to pass its second reading be reconsidered and that motion be laid on the table.

It is so ordered.

S. B. 380, A bill to be entitled An act to amend chapter 2532, Consolidated Statutes of North Carolina, relating to tolls by public mills in Pender County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 425, A bill to be entitled An act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 429, A bill to be entitled An act for the relief of J. F. Martin, former Sheriff of Anson County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 451, A bill to be entitled An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes.

Passes its second and third readings, and is ordered Enrolled.

S. B. 537, A bill to be entitled An act relating to the revaluation of property in Vance County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 532, A bill to be entitled An act to amend chapter 51, Private Laws, Extra Session, 1913, and to authorize and empower the Board of Commissioners of the Town of Rowland to extend the time of payment of street and sidewalk assessments.

Passes its second and third readings, and is ordered Enrolled.

S. B. 566, A bill to be entitled An act to authorize the County Commissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 567, A bill to be entitled An act to amend H. B. 507, entitled "An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept County vouchers in payment of taxes," ratified February 28, 1933.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1187, A bill to be entitled An act to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1250, A bill to be entitled An act to regulate the building of dams across creeks, bays and river estuaries.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1290, A bill to be entitled An act to amend chapter 59 of the Private Laws of 1931 and chapter 208 of the Private Laws of 1927, relating to the salary of the Mayor of Warsaw in Duplin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1294, A bill to be entitled An act regulating the salaries of the Sheriff, Register of Deeds, Clerk of Court and other officers in Sampson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1313, A bill to be entitled An act to protect venders of personal property upon installment payment plan.

A Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1314, A bill to be entitled An act to authorize the issuance of scrip by Currituck County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1325, A bill to be entitled An act to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the Clerk of Superior Court of Guilford County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1327, A bill to be entitled An act to allow the Commissioners of the Town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1334, A bill to be entitled An act relating to remission of penalties on 1932 taxes in Pitt County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1345, A bill to be entiled An act regulating fishing in Lake Lure, Chimney Rock Township, Rutherford County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1348, A bill to be entitled An act to empower the Board of Aldermen of the City of Rocky Mount to relieve churches of paving assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1349, A bill to be entitled An act to amend chapter 149 of the Private Laws of North Carolina, Session 1931, being "An act providing for the appointment of a school board for the Asheville Local-Tax School District and defining its powers and duties."

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 561, A bill to be entitled An act to amend H. B. 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, Session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County."

Passes its second and third readings, and is ordered Enrolled.

S. B. 476, A bill to be entitled An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

Passes its second and third readings, and is ordered Enrolled.

H. B. 942, A bill to be entitled An act to amend chapter 348 of Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

Passes its second reading, and remains on the Calendar.

H. B. 853, A bill to be entitled An act to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 913, A bill to be entitled An act to require the State Highway Commission to place certain public county roads in Transylvania County on the State-maintained list, and to maintain same.

Mr. Galloway offers a substitute for the bill.

The substitute is adopted.

On motion of Mr. Galloway, the substitute and original bill are recommitted to the Calendar Committee.

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bonds of the State.

Passes its second reading by the following vote, and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Howell, Hutchins, Ingram, James, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Monroe, Moore, Morphew, Murphy, McEachern, Oaks, Olive, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall and Woodfin—73.

Those voting in the negative are: None.

H. B. 1329, A bill to be entitled An act to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the City of Asheville.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

H. B. 1340, A bill to be entitled An act to incorporate the Town of Cherry in Washington County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

H. B. 1344, A bill to be entitled An act to amend chapter 15, Private Laws of 1923, relative to the Charter of the City of Elizabeth City.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

H. B. 1352, A bill to be entitled An act providing for a special tax levy in Alexander County for special purposes.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

S. B. 433, A bill to be entitled An act to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter, relating to the assumption of school district debt by counties.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

H. B. 1123, A bill to be entitled An act to amend chapter 249, Public Laws, 1931, relating to the extension of special assessments.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy, Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

S. B. 540, A bill to be entitled An act relating to the extension of time for payment of special assessments levied by the City of Concord.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Braddy,

Brown, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Galloway, Garrou, Grady, Graham, Greer, Griffin, Groves, Hamilton, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Châtham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Mizzell, Moore, Morphew, Oaks, Olive, Phillips, Pope, Rouse, Sprinkle, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—70.

Those voting in the negative are: None.

On motion of Mr. McEachern, H. B. 1142, A bill to be entitled An act, limiting the boards of education to a membership of three, is ordered recalled from the Senate for further consideration by the House.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office, of the Secretary of State:

S. B. 483, An act to authorize the Trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

H. B. 837, An act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisements.

S. B. 545, An act to amend chapter 343, Private Laws of North Carolina, section 31 and subsection "C" thereof relating to the primaries of the Town of Lumberton.

H. B. 1159, An act relating to building inspection fees in Lenoir County.

H. B. 1252, An act to permit donors to prescribe the salaries of employees assigned to certain duties in certain State departments or agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

H. B. 1264, An act to fix the compensation of the Board of Commissioners of Harnett County and to require a publication of expenditures by said Board.

H. B. 1265, An act to fix the compensation of the Auditor for the County of Harnett and to provide for an assistant auditor and to fix the compensation of such assistant.

H. B. 1272, An act to place the Clerk of the Superior Court, the Register of Deeds and the Judge of the Recorder's Court of Harnett County on a salary and to fix the compensation of the said officers.

H. B. 1282, An act to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County.

H. B. 1337, An act to authorize and fix attorneys' fees in connection with tax foreclosure proceedings and/or suits.

H. B. 1338, An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates.

On motion of Mr. Doughton, the House takes a recess until 3:30 o'clock p.m.

### AFTERNOON SESSION

House of Representatives, Friday, April 21, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

### COMMITTEE REPORT

The Rules Committee having met on April 21, a quorum being present, do recommend that the services of all Committee clerks in the House be dispensed with, with the exception of the clerk to the Finance Committee.

R. M. Cox, Chairman.

On motion of Mr. Cox, the report is adopted.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Martin, for the Committee on Judiciary No. 1:

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

With a favorable report, as amended.

#### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1250, A bill to be entitled An act to regulate the building of dams across creeks, bays, and river estuaries. (Applicable only to Carteret County.)

H. B. 1313, A bill to be entitled An act to protect vendors of personal property upon installment payment plan. (Applies to Wake County only.)

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Morphew: H. B. 1379, A bill to be entitled An act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.

Placed on the Calendar.

By Mr. Massenburg: H. B. 1380, A bill to be entitled An act validating certain tax sales in the Town of Columbus, Polk County, and for other purposes.

Placed on the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 635, A bill to be entitled An act to regulate the hunting of foxes and/or other wild animals in Madison County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1303, A bill to be entitled An act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1316, A bill to be entitled An act to amend H. B. 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the Clerk of Superior Court of Franklin County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1319, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities or other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933, so as to exempt Sampson County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1353, A bill to be entitled An act to abolish the office of the Treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said county.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1328, A bill to be entitled An act to protect pheasants in the County of Iredell.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1320, A bill to be entitled An act regulating the collection of delinquent taxes in Sampson County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1364, A bill to be entitled An act to fix the salary of the Clerk of the Superior Court of Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1365, A bill to be entitled An act to fix the salary of the Register of Deeds of Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1366, A bill to be entitled An act relating to teachers of vocational education in Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1367, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes relating to compensation for damages done by dogs in Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1369, A bill to be entitled An act to authorize and empower the Board of Commissioners of the Town of Morehead City to extend the time for the payment of special assessments for local improvements.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1370, A bill to be entitled An act to empower the governing body of the Town of Weaverville, Buncombe County, to relieve churches of paving assessments.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1371, A bill to be entitled An act to permit the Aldermen of the Town of Bryson City to make agreements relative to town funds on deposit in the Bryson City Bank.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 606, A bill to be entitled An act to amend section 4200 of the Consolidated Statutes of North Carolina, relating to capital crimes.

On motion of Mr. Thompson of Beaufort, the bill is laid on the table.

Committee substitute for: H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

Committee substitute is adopted.

On motion of Mr. Makepeace, the bill is recommitted to the Committee on Game.

H. B. 892, A bill to be entitled An act to regulate the business of making small loans.

A minority report having been filed with the bill, the question now recurs upon the adoption of said report.

The minority report fails of adoption, the bill thereby going on the Unfavorable Calendar.

H. B. 1227, A bill to be entitled An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

A Committee amendment is lost.

Amendments offered by several Members are adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 973, A bill to be entitled An act to amend section 109 of the Consolidated Statutes relative to final accounts and discharge of executors and administrators.

An amendment offered by Mr. Martin is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

On motion of Mr. Johnson of Chatham, the House adjourns until ten o'clock tomorrow.

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# NINETY-FOURTH DAY

House of Representatives, Saturday, April 22, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative D. E. Turner of Iredell County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

H. B. 1350, A bill to be entitled An act to release church property in the Town of Boone, Watauga County, from the payment of street and sidewalk paying assessments.

With a favorable report.

And.

H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers, and busses.

With an unfavorable report as to bill, favorable as to Committee substitute.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time, and dsiposed of as follows:

By Mr. Galloway: H. B. 1381, A bill to be entitled An act supplemental to and amendatory of House bill 990, it being "An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company, in the Town of Brevard," ratified March 30, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Cover: H. B. 1382, A bill to be entitled An act to allow public institutions to repay certain excessive charges made in Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Coffey: H. B. 1383, A bill to be entitled An act to amend House bill 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sprinkle: H. B. 1384, A bill to be entitled An act to restore to the County Commissioners of Madison County the powers and duties set forth in chapter 24 of the Consolidated Statutes.

Referred to the Committee on Judiciary No. 1.

By Mr. Ray: H. B. 1385, A bill to be entitled An act to allow the Commissioners of the Town of Laurel Park, Henderson County, to accept bonds and/or notes in payment of taxes.

Referred to the Committee on Finance.

And.

H. B. 1386, A bill to be entitled An act to aid the collection of back taxes in the City of Hendersonville.

Referred to the Committee on Finance.

And.

H. B. 1387, A bill to be entitled An act to allow persons having deposits in closed banks in Henderson County to sell same and permit purchasers of same to apply such deposits in payment of any depts or obligations which such purchasers may owe to such closed banks.

Referred to the Committee on Banks and Banking.

By Mr. McLauchlin: H. B. 1388, A bill to be entitled An act to repeal Senate bill 468, ratified April 5, 1933, so as to permit refund of tax sales certificates and exemption from tax penalties in Scotland County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

# SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 517, A bill to be entitled An act to empower the Board of County Commissioners of Iredell County to abolish the office of Treasurer and create the office of Tax Collector and to fix and regulate the salaries of officers of Iredell County.

Referred to the Committee on Counties, Cities and Towns.

S. B. 559, A bill to be entitled An act to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District No. 1. Referred to the Committee on Calendar.

S. B. 572, A bill to be entitled An act fixing the fees of jurors in Clay and Macon counties.

Referred to the Committee on Judiciary No. 1.

H. B. 1019, A bill to be entitled An act to regulate the salaries of public officials in Transylvania County and for other purposes.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 1107, A bill to be entitled An act to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account (also amend chapter 9, section 2, Public Laws 1929).

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 1286, A bill to be entitled An act to authorize the Board of Education of Buncombe County to pay Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.

For concurrence in the Senate amendment.

On motion of Mr. Sullivan, the House concurs in Senate amendment and the bill is ordered Enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 1354, An act to legalize the transportation and delivery of beer, lager beer, ale, porter, fruit juices and other brewed and/or fermented beverages, containing not more than 3.2 per cent of alcohol by weight, or such other percentage as may conform to any act of the Congress of the United States, and to amend Senate bill No. 558, acts of 1933, entitled An act to allow the shipment and storage of legalized beverages in the State of North Carolina.

On motion of Mr. Tompkins, the House adjourns and will meet Monday night at 8:00 o'clock p.m.

# NINETY-FIFTH DAY

House of Representatives, Monday Night, April 24, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. C. M. Higgins, Sergeant-at-Arms of the House.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The Speaker appoints William Thompson, son of Representative Thompson of Columbus County, an Honorary Page of the House.

# ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 973, A bill to be entitled An act to amend section 109 of the Consolidated Statutes, relative to final accounts and discharge of executors and administrators.

H. B. 1227, A bill to be entitled An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

H. B. 1370, A bill to be entitled An act to empower the governing body of the Town of Weaverville, Buncombe County, to relieve churches of paving assessments. (Applicable also the municipalities of Clyde, Canton and Hazelwood, in Haywood County.)

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Randolph: H. B. 1389, A bill to be entitled An act to authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the Town of Bryson City.

Placed on the Calendar.

By Mr. Olive: H. B. 1390, A bill to be entitled An act to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 1391, A bill to be entitled An act to amend S. B. 334, ratified the 27th day of March, 1933, the same being "An act amending the Recorder's Court for Thomasville."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Hutchins: H. B. 1392, A bill to be entitled An act to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Taylor of Mecklenburg: H. B. 1393, A bill to be entitled An act to regulate license or franchise taxes on building and loan associations in Mecklenburg County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Haynes: H. B. 1394, A bill to be entitled An act to regulate the fees of the Sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

Referred to Committee on Calendar.

By Mr. Eaton: H. B. 1395, A bill to be entitled An act to amend chapter 193, Public-Local Laws, 1921, fixing the salary of the Sheriff of Yadkin County, and to allow the Board of Commissioners to fix the salary of the Treasurer of said county, and to empower said board to levy an additional tax of five cents for the maintenance of the jail and courts of said county.

Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1396, A bill to be entitled An act to provide for a more efficient auditing of the books and accounts of the officers of Columbus County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Messrs. Thompson of Beaufort and Etheridge: H. B. 1397, A bill to be entitled An act to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing.

Referred to Committee on Calendar.

And

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

Referred to Committee on Calendar.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 585, A bill to be entitled An act to amend An act, entitled "An act to allow the counties and other governing agencies to refund tax sale certificates," ratified March 27, 1933, which amendment relates only to Catawba County.

Placed on the Calendar.

S. B. 588, A bill to be entitled An act to authorize the Committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

Referred to the Committee on Calendar.

H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County.

For concurrence in the Senate amendment.

On motion of Mr. Womble, the House fails to concur in the Senate amendment, and asks for a conference. The Speaker appoints as conferees on the part of the House: Messrs. Womble, Douglass and O'Berry, and the Senate is so notified.

H. B. 1268, A bill to be entitled An act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the City of Asheville and their widows.

For concurrence in the Senate amendment.

On motion of Mr. Sullivan, the House concurs in Senate amendment, and the bill is ordered Enrolled.

### SPECIAL MESSAGE

SENATE CHAMBER, April 24, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request, we are returning herewith H. B. 1142, title "Limiting the boards of education to a membership of three," for further consideration by the House.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Having been recalled from the Senate, the bill is placed on the Calendar for further consideration by the House.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Senate Committee substitute for: H. B. 958, A bill to be entitled An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorders' Courts in Henderson County.

For adoption of the Senate substitute.

On motion of Mr. Ray, the Senate substitute is adopted.

Passes its second and third readings and is ordered Enrolled.

The original House bill is laid on the table.

H. B. 1019, A bill to be entitled An act to regulate the salaries of public officials in Transylvania County, and for other purposes.

For concurrence in the Senate amendment.

On motion of Mr. Galloway, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 1266, A bill to be entitled An act to fix the compensation of the County Attorney for the County of Harnett.

For concurrence in the Senate amendment.

On motion of Mr. Young, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

H. B. 1350, A bill to be entitled An act to release church property in the Town of Boone, Watauga County, from the payment of street and sidewalk paying assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1376, A bill to be entitled An act to amend chapter 26, Private Laws, 1929, relating to the auditing of the books of the Town of Vanceboro, Craven County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1375, A bill to be entitled An act to provide for the nomination of candidates for the office of County Commissioners of Pasquotank County by the qualified voters of the entire county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1380, A bill to be entitled An act validating certain tax sales in the Town of Columbus, Polk County, and for other purposes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 459, A bill to be entitled An act regulating the fees of jurors and witnesses in the courts of Catawba County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 494, A bill to be entitled An act to repeal chapter 181, Public-Local Laws, Extra Session, 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County, and to provide an open season for foxes.

Passes its second and third readings, and is ordered Enrolled.

S. B. 510, A bill to be entitled An act to amend section 1443 of the Consolidated Statutes relating to terms of court of Catawba County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 569, A bill to be entitled An act to amend An act, entitled "An act to allow the counties and governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 573, A bill to be entitled An act supplemental to and amendatory of H. B. 249, it being "An act to grant a new charter for the Town of Pine Bluff, Moore County, North Carolina," ratified March 1, 1933.

Passes its second and third readings, and is ordered Enrolled.

H. B. 310, A bill to be entitled An act to repeal sections 1786, 1787 and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt" Statutes, and to substitute in lieu thereof a new statute.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 920, A bill to be entitled An act to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

Having been recalled from the Enrolling office, on motion of Mr. Brawley, the vote by which the House concurred in the Senate amendment is reconsidered, and the bill remains on the Calendar for further consideration.

H. B. 1107, A bill to be entitled An act to amend section 2187, Consolidated Statutes, relating to the procedure to compel guardians to account; also, to amend chapter 9, section 2, Public Laws, 1929.

For concurrence in the Senate amendment.

On motion of Mr. Allen, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bonds of the State.

Mr. Doughton offers a substitute for the bill.

The substitute is adopted, and remains on the Calendar for its second reading roll call.

H. B. 1242, A bill to be entitled An act relating to peddlers of fruits in the Town of Lincolnton, Lincoln County.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of

Guilford, Turner of Iredell, Van, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young-87.

Those voting in the negative are: None.

H. B. 1333, A bill to be entitled An act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said County.

Passes its second reading by the following vote and takes it place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1378, A bill to be entitled An act to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments.

Passes its second reading by the following vote and takes it place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1379, A bill to be entitled An act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.

Passes its second reading by the following vote and takes it place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpeper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Ed-

wards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

S. B. 493, A bill to be entitled An act for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County.

As amended, the bill passes its third reading by the following vote, and is ordered sent to the Senate for concurrence in the House amendment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1344, A bill to be entitled An act to amend chapter 15, Private Laws, 1923, relative to the charter of the City of Elizabeth City.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garlbaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1352, A bill to be entitled An act providing for a special tax levy In Alexander County for special purposes.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1340, A bill to be entitled An act to incorporate the Town of Cherry, in Washington County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wayne, Barden, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Graham, Greene, Greer, Griffin, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson, of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—87.

Those voting in the negative are: None.

H. B. 1363, A bill to be entitled An act to create a public utility district and a district utility corporation for the City of Greensboro and County of Guilford and to define the powers, duties and scope thereof.

Passes its second reading by the following vote and takes it place on the Calendar:

Those voting in the affirmative are: Messrs. Allen, Arndt, Binford, Boswell, Bowie, Boyd, Braddy, Brock, Brown, Cherry, Coffey, Cover, Cowles, Culpepper, Doughton of Alleghany, Douglass, Eaton, Edwards, Etheridge, Galloway, Garner, Garibaldi, Garrou, Gilliam, Graham, Greer, Hamilton, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Massenburg, Moore, Moye, McEachern, Oaks, Olive, Pope, Ray, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Woodall, Woodfin and Young—57.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Brawley, Cox, Crews, Dowtin of Warren, Everett, Flanagan, Groves,

Haynes, Howell, James, Martin, Murphy, Neal, O'Berry, Randolph, Rouse, Sprinkle, Thompson of Robeson, Warlick, Wilson and Womble—24.

### ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 380, An act to amend chapter 2532, Consolidated Statutes of North Carolina, relating to tolls by public mills in Pender County.
- S. B. 425, An act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.
- S. B. 429, An act for the relief of J. F. Martin, former Sheriff of Anson County.
- S. B. 433, An act to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter relating to the assumption of School District Debt by counties.
- S. B. 451, An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes.
- S. B. 476, An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions,
- S. B. 532, An act to amend chapter 51, Private Laws, Extra Session, 1913, and to authorize and empower the Board of Commissioners of the Town of Rowland to extend the time of payment of street and sidewalk assessments,
  - S. B. 537, An act relating to the revaluation of property in Vance County.
- S. B. 540, An act relating to the extension of time for payment of special assessments levied by the City of Concord.
- S. B. 561, An act to amend H. B. 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, Session 1931, relating to certain claims paid by the Board of County Commissioners of Cherokee County."
- S. B. 566, An act to authorize the County Commmissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County.
- S. B. 567, An act to amend H. B. 507, entitled "An act to authorize, empower and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes," ratified February 28, 1933.
- H. B. 618, An act to authorize the Board of Commissioners of Buncombe County to refund certain license taxes erroneously collected.
- H. B. 656, An act to permit the fishing with more than one hook, line and pole, but not more than three at the same time in the water courses of Durham County.
- H. B. 802, An act to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.
- H. B. 919, An act to amend section 220 (a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.
- H. B. 978, An act to authorize the Board of Commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County.

- H. B. 995, An act fixing the salary as a coroner of Johnston County.
- H. B. 1028, An act to regulate the compensation of the Sheriff of Brunswick County with reference to tax suits.
- H. B. 1095, An act for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County.
- H. B. 1199, An act to relieve church property in the Town of Whitakers, in the counties of Edgecombe and Nash, and Ahoskie in Hertford County, from all street or sidewalk paving assessments, when approved by a majority of the voters.
- H. B. 1211, An act to change the incorporated boundaries of the Town of Whiteville in Columbus County.
- H. B. 1229, An act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.
  - H. B. 1230, An act abolishing tax penalties in Macon County.
- H. B. 1243, An act to promote the listing and collection of taxes on unlisted property in Wake County.
- H. B. 1285, An act to allow the Commissioners of Henderson County to accept bonds in payment of certain taxes.
- H. B. 1259, An act to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County.
- H. B. 1283, An act supplemental to S. B. 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933.
- H. B. 1310, An act to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempted from said act, to extend the time for bringing tax foreclosure suits and to simplify the method of foreclosing said certificates in Cleveland County.
- H. B. 1339, An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.
- S. B. 115, An act to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.
- H. B. 134, An act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex officio game wardens in Buncombe County. (Applicable also to Madison County.)
- H. B. 981. An act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.
- H. B. 1027, An act to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.
- H. B. 1049, An act to amend chapter 27, sub-chapter 4, articles 18, 21 and 23, of the Consolidated Statutes and amendments thereto, relating to municipal recorders' courts to extend the criminal and civil jurisdiction of the Recorder's Court of Wendell to include all of Mark's Creek Township and Saint Matthew's Township, in Wake County, and to provide for the election of the Recorder of said court.

- H. B. 1065, An act to regulate fox hunting in Macon County.
- H. B. 1111, An act relating to the use of profane language on the public highways of Gates County.
  - H. B. 1184, An act relative to damage done by dogs in Surry County.
- H. B. 1222, An act to amend chapter 282, Public-Local Laws, Session 1919, relating to foxes in Granville County.
- H. B. 1228, An act to validate the acts of certain Justices of the Peace in Macon County.
- H. B. 1267, An act to prevent drunkenness and disorderly conduct in public places in Orange County.
- H. B. 1286, An act to authorize the Board of Education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.
- H. B. 1287, An act supplemental to and amendatory of Senate bill No. 135, entitled "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.
- H. B. 1290, An act to amend chapter 59 of the Private Laws of 1931 and chapter 208 of the Private Laws of 1927, relating to the salary of the Mayor of the Town of Warsaw, in Duplin County.
- H. B. 1324, An act to regulate the sanitary conditions of seine beaches in Beaufort County.
  - H. B. 1357, An act to validate tax sales in Chatham County.

On motion of Mr. Turner of Iredell, H. B. 1145, A bill to be entitled An act to make possible and provide for medical treatment and hospital care of poor, indigent sick and injured persons in Rowan and Iredell counties, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Barden, the House adjourns until eleven o'clock tomorrow.

# NINETY-SIXTH DAY

House of Representatives, Tuesday, April 25, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rabbi Frederick Frank of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The Speaker appoints Harold Cranford an Honorary Page of the House.

# STATEMENT FROM THE COMMISSIONER OF BANKS

The following statement is received from the Commissioner of Banks in compliance with House Resolution heretofore adopted:

To the Honorable House of Representatives of the State of North Carolina: Greetings: In reply to your resolution adopted April 21, 1933, I beg leave to make the following statement:

- 1. Attorneys and auditors are not employed in the liquidation of banks on a retainer or future contract basis; fees are paid to attorneys when their work is completed and the amounts of such fees are substantially below fees paid by others for similar services. Auditors are employed on their regular per diem schedule and they are paid only for the time they are actually engaged in their work. A number of attorneys and accountants have, since March 4th, 1933, rendered almost continuous service to the Banking Department without any charge.
- 2. To properly present in detail the information requested in your resolution as to the services rendered, as well as the remuneration therefor, would require the examination and the setting forth of the records of the liquidation of all the banks in my hands for such purpose during the years 1931, 1932 and 1933. Such information cannot be properly assembled by April 26, 1933.
- 3. May I respectfully call your attention to section 223 (f) of Consolidated Statutes of 1919 as amended, chapter 243, Public Laws of 1931, section 7486 (z), Consolidated Statutes of 1919, as amended, and section 6, chapter 429, Public Laws of 1931. From these sections it appears that the expense of the supervision of banks, including the salary of the Commissioner of Banks, is to be paid from the fees collected for the examination of and services rendered to banks, and that these fees can be used for no other purpose.
- 4. May I also call your attention to section 218 (c), Consolidated Statutes of 1919 as amended, sub-section 16, and section 1215 of Consolidated Statutes of 1919 as amended. These sections authorize the payment of the expenses of the liquidation of closed banks from the assets of such banks when such expenses have been approved by the resident or presiding judge in the pending action.
- 5. The work of preparing the information requested in your resolution could in no sense be regarded by the court as an expense of the liquidation of any particular closed bank, or of all the closed banks in North Carolina, and, therefore, the court could not approve the expenditure of the assets of such closed bank or banks for the purpose of preparing the information requested. Further, the preparation of this information could have no connection with the supervision of banks operating in North Carolina. Therefore, I have no authority under the sections cited in Paragraph 3 above to expend the fees collected for services rendered to operating banks for the purpose of preparing the information described in your resolution.
- 5. The report of expenses incurred in the liquidation of each particular bank is filed in the office of the Clerk of Superior Court in the pending action in the county in which the bank had its principal office. This report shows the judge's approval and is available for publication by newspapers and for inspection by the public at all times during the office hours of the clerk.
- 7. Your resolution itself carries no appropriation for the purpose of gathering and preparing the information described, and the statutes heretofore enacted by the General Assembly do not permit me to expend any funds for this purpose. If legislation is enacted making an appropriation for this expense, I shall be glad to have prepared and furnished to you the

information requested, as I feel the Legislature, as well as the public, is entitled to any and all such information.

# Respectfully submitted,

GURNEY P. HOOD, Commissioner of Banks.

April 22, 1933.

# COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calender as follows:

By Mr. Coffey, for the Committee on Calendar:

- H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician. And,
- S. B. 464, A bill to be entitled An act to amend section 7067 of the Consolidated Statutes relating to appointment of a county physician.

With unfavorable reports.

And

H. B. 1360, A bill to be entitled An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city.

And,

H. B. 1373, A bill to be entitled An act to provide for the expenses of revaluation of property in Yancey County.

And.

H. B. 1394, A bill to be entitled An act to regulate the fees of the Sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

And.

H. B. 1397, A bill to be entitled An act to amend section 1970 of the Consolidated Statutes of North Carolina relating to Sunday fishing.

And,

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

And.

- S. B. 559, A bill to be entitled An act to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District No. 1. And.
- S. B. 588, A bill to be entitled An act to authorize the Committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

And.

S. B. 372, A bill to be entitled An act to amend section 2471 of the Consolidated Statutes relative to the order of payment of liens of materialmen and laborers.

And.

H. B. 556, A bill to be entitled An act to amend chapter 25 of the Private Laws of 1911, increasing the number of Commissioners of the Town of Ellerbe from three to five.

With favorable reports.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Gilliam: H. B. 1399, A bill to be entitled An act to provide for limitation of the net debt of the City of Burlington.

Placed on the Calendar.

By Mr. Williams: H. B. 1400, A bill to be entitled An act to permit old documents to be recorded where official seal of officer has not been affixed.

Referred to the Committee on Calendar.

By Mr. Thompson of Columbus: H. R. 1401, Joint resolution petitioning the President of the United States to authorize the employment of funds and labor designated in the Reforestation Act for use on private lands for the public benefit in North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 477, A bill to be entitled An act fixing the venire of civil actions for the foreclosures of liens and chattel mortgages.

Referred to the Committee on Judiciary No. 1.

S. B. 523, A bill to be entitled An act to amend Section 1136 of the Consolidated Statutes to provide for the filing of annual reports, other than tax reports of domestic and foreign corporations doing business in this State, and to provide a fee for the same.

Referred to the Committee on Calendar.

S. B. 527, A bill to be entitled An act to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

Referred to the Committee on Judiciary No. 2.

S. B. 539, A bill to be entitled An act to prohibit the taking of mink, muskrat, raccoon, opossum and otter in Northampton County for a period of two years.

Referred to the Committee on Game.

S. B. 525, A bill to be entitled An act to provide for and regulate the manufacture, transportation and sale of certain beverages.

On motion of Mr. Martin, the bill is placed on the Calendar.

S. B. 591, A bill to be entitled An act to allow persons having deposits in closed banks in Rutherford County to sell same and to permit purchasers to apply such deposits in payment of debts or obligations which such purchasers may owe to such closed banks; and to regulate the time of liquidation of closed banks.

On motion of Mr. Griffin, the bill is placed on the Calendar.

S. B. 548, A bill to be entitled An act to incorporate the North Carolina State Thrift Society.

Referred to the Committee on Education,

S. B. 549, A bill to be entitled An act to provide for instruction in thrift and saving in the public schools of the State.

Referred to the Committee on Education.

S. B. 551, A bill to be entitled An act to authorize the Board of County Commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the County Tubercular Hospital.

Placed on the Calendar.

S. B. 553, A bill to be entitled An act to provide the regulation of peddlers in the City of Charlotte, North Carolina.

Placed on the Calendar.

S. B. 554, A bill to be entitled an act safeguarding life and property by prohibiting the sale, disposal of by gift, or as a premium of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

Referred to the Committee on Judiciary No. 1.

S. B. 587, A bill to be entitled An act to repeal S. B. 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

Referred to the Committee on Calendar.

S. B. 593, A bill to be entitled An act to amend the charter of the Town of Morganton, providing for payment of taxes in partial or installment payments.

Referred to the Committee on Calendar.

H. B. 786, A bill to be entitled An act to regulate the operation of dance and recreation halls in Buncombe County.

For concurrence in the Senate amendment.

On motion of Mr. Martin, the House concurs in Senate amendment, and the bill is ordered Enrolled.

# SPECIAL MESSAGE

SENATE CHAMBER, April 25, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Hinsdale and Blackstock to act as Conferees with your appointees to consider the difference arising on H. B. 782, title, "Reducing the salaries of certain officers in Wake County," and to adjust the same.

### Respectfully,

LEROY MARTIN, Clerk of the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 942, A bill to be entitled An act to amend chapter 348 of Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County, so as to exempt Yadkin County from the provisions thereof.

The bill fails to pass its third reading.

H. B. 1389, A bill to be entitled An act to authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the Town of Bryson City.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 585, A bill to be entitled An act to amend An act entitled "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Catawba County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 175, A bill to be entitled An act to amend section 32 of chapter 60, Public Laws of 1931, relating to and declaring liability of public officials with respect to funds of a unit deposited in banks and trust companies, designated as depository or depositories of such unit.

On motion of Mr. Johnson of Chatham, the bill is laid on the table.

H. B. 1198, A bill to be entitled An act to amend H. B. 221, Session 1933, ratified March 3, 1933, entitled "An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, and their discipline and disbarment," so as to provide for the issuance of license to practice, and for the constitution of the Board of Law Examiners.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for: H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers, and busses.

Committee substitute adopted, and remains on the Calendar for its second reading Roll Call.

H. B. 808, A bill to be entitled An act to amend chapter 51, Public Laws of 1927, relating to open season on raccoon and opossum.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina relating to zoning of certain properties.

On motion of Mr. Womble, the bill is recommitted to the Committee on Judiciary No. 1.

Committee substitute for: H. B. 748, A bill to be entitled An act to create a State textbook commission and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

The Confinittee substitute is adopted.

Mr. Cameron offers a substitute for the Committee substitute.

The question now recurs upon the adoption of the substitute for the Committee substitute.

On motion of Mr. Martin, the substitute and Committee substitute are ordered printed.

Further consideration of the substitute is deferred until after the printing of the same.

Committee substitute for: H. B. 1058, A bill to be entitled An act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States by payment of interest to the Department of North Carolina United Spanish War Veterans.

A Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1062, A bill to be entitled An act to amend section 1336 of the Consolidated Statutes in regard to maintenance of aged and infirm.

On motion of Mr. Cherry, the bill is laid on the table.

H. B. 1072, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, as amended by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

The Committee amendment is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Committee substitute for:

H. B. 1088, A bill to be entitled An act to amend chapter 149 of the Public Laws of 1927, which chapter is known as the Capital Issues Law, relating to the regulation of the sale of securities within the State of North Carolina.

The Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1096, A bill to be entitled An act to abolish the second primaries in all elections in North Carolina.

The bill fails to pass its second reading.

H. B. 1126, A bill to be entitled An act requiring vaccination of dogs against rabies.

On motion of Mr. Thompson of Beaufort, the bill is laid on the table.

H. B. 1333, A bill to be entitled An act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cherry, Coffey, Cover, Cowles, Cox, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Flanagan, Galloway, Garibaldi, Garrou, Gilliam, Graham, Greene, Griffin, Haynes, Howell, Hoyle, Hutchins,

Ingram, James, Johnson of Chatham, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—73.

Those voting in the negative are: None.

H. B. 1378, A bill to be entitled An act to allow the governing bodies of the Towns of Bladenboro and Elizabethtown to refund local improvement assessments.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cherry, Coffey, Cover, Cowles, Cox, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Flanagan, Galloway, Garibaldi, Garrou, Gilliam, Graham, Greene, Griffin, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—73.

Those voting in the negative are: None.

H. B. 1379, A bill to be entitled An act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cherry, Coffey, Cover, Cowles, Cox, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Flanagan, Galloway, Garibaldi, Garrou, Gilliam, Graham, Greene, Griffin, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—73.

Those voting in the negative are: None.

H. B. 1395, A bill to be entitled An act to amend chapter 193, Public-Local Laws 1921, fixing the salary of the Sheriff of Yadkin County, and to allow the Board of Commissioners to fix the salary of the Treasurer of said county and to empower said board to levy an additional tax of five cents for the maintenance of the jail and courts of said county.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Brown,

Cherry, Coffey, Cover, Cowles, Cox, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Flanagan, Galloway, Garibaldi, Garrou, Gilliam, Graham, Greene, Griffin, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—73.

Those voting in the negative are: None.

House Substitute for:

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bonds of the State.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Binford, Bowie, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garrou, Gilliam, Graham, Grant, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, Wilson, Womble, Woodall, Woodfin and Young—76.

Those voting in the negative are: None.

S. B. 392, A bill to be entitled An act to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges.

A committee amendment is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

An amendment offered by Mr. Galloway is adopted.

An amendment offered by Mr. Eaton is adopted.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bowie, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Everett, Ewing, Falkner, Flanagan, Gardner, Garibaldi, Garrou, Grant, Greene, Griffin, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Pope, Randolph, Ray, Sprinkle, Stevens, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, White, Wilson, Womble, Woodall and Young—61.

Those voting in the negative are: Messrs. Binford, Eagles, Galloway, Haynes, Rouse, Turner of Iredell and Woodfin—7.

S. B. 391, A bill to be entitled An act to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes, as amended.

An amendment offered by Mr. Galloway is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bowie, Boyd, Braddy, Brawley, Brown, Cherry, Coffey, Cover, Cowles, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Ewing, Falkner, Flanagan, Garibaldi, Garrou, Gilliam, Graham, Grant, Greene, Griffin, Groves, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moye, Murphy, McEachern, Neal, O'Berry, Phillips, Pope, Randolph, Rouse, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—74.

Those voting in the negative are: Messrs. Binford and Galloway-2.

S. B. 393, A bill to be entitled An act to amend section 2808 of the Consolidated Statutes of North Carolina relating to municipal light and water plants.

An amendment offered by Mr. Galloway is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

A committee amendment is adopted.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Flanagan, Gardner, Garibaldi, Garrou, Gilliam, Greene, Griffin, Groves, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Martin, Mebane, Moore, Morphew, Moye, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Spruill, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, White, Williams, Wilson, Womble and Young—63.

Those voting in the negative are: Messrs. Barden, Binford, Galloway, Grant, Howell, Ray and Stevens—7.

On motion of Mr. Eagles, S. B. 268, A bill to be entitled An act to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions, is taken from the Committee on Appropriations and placed on the Calendar.

On motion of Mr. Barden, the House adjourns until 10:00 o'clock tomorrow.

### NINETY-SEVENTH DAY

House of Representatives, Wednesday, April 26, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to: Mr. U. L. Spence of Moore County, Mr. Eugene Brooks and Mr. Victor Young, both of Durham County, former Members of the House.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2.

H. B. 528, A bill to be entitled An act to amend chapter 121, Private Laws 1931, being "An act to incorporate the City of Asheville, to define its limits, to provide for its government, and for other purposes," to require municipal primaries and elections to be partisan.

And.

H. B. 772, A bill to be entitled An act to amend and rewrite section 2591 of the Consolidated Statutes relating to foreclosures of mortgages and/or deeds of trust.

And,

H. B. 1050, A bill to be entitled An act to regulate the service of process and subpoenas by constables of Wake County.

And

H. B. 1149, A bill to be entitled An act to revise pilotage rates for the Cape Fear River, and bar.

With unfavorable reports.

And,

H. B. 1150, A bill to be entitled An act to regulate piloting by persons not holding proper license.

And,

S. B. 387, A bill to be entitled An act relating to the disposition of witness fees and officers fees in the office of the Clerk of the Superior Court of Wilkes County.

And.

S. B. 527, A bill to be entitled An act to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

With favorable reports.

And

H. B. 1218, A bill to be entitled An act to create the Daniel Boone National Forest Park, and to provide for cooperation by the State of North Carolina

with the Federal Government in the reforestation of the Tennessee River Basin in Western North Carolina.

With a favorable report, as amended.

By Mr. Cherry, for the Committee on Roads:

H. B. 315, A bill to be entitled An act to promote economy by using qualified convict labor in the operation of trucks for road maintenance and in building up and maintaining the shoulders of highways.

And.

H. B. 494, A bill to be entitled An act to require the State Highway Commission to reimburse the County of Martin for all moneys furnished by said County to the Highway Commission for the construction of certain highways in Martin County, and for the construction of the Roanoke River Bridge in Martin County.

And.

H. B. 911, A bill to be entitled An act to authorize the State Highway Commission to purchase, acquire, own, maintain and operate publicly or privately established toll bridges and ferries connecting parts of the State Highway System.

With unfavorable reports.

By Mr. Johnson of Pender, for the Committee on Insurance:

S. B. 512, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

With a favorable report.

And,

S. B. 490, A bill to be entitled An act to create a Building Code Council for North Carolina.

With a favorable report, as amended.

By Mr. Makepeace, for the Committee on Game:

H. B. 610, A bill to be entitled An act to regulate the hunting of foxes in Caswell County.

With a favorable report.

And.

Committee Substitute for:

H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

With unfavorable report, as to original bill and first Committee Substitute, favorable as to the second Committee Substitute.

By Mr. Etheridge, for the Committee on Banks and Banking.

H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

With unfavorable report, as to bill, favorable as to Committee Substitute. And,

H. B. 1372, A bill to be entitled An act to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank, held by him, for distribution to the depositors of said bank.

With a favorable report.

And,

H. B. 1387, A bill to be entitled An act to allow persons having deposits in closed banks in Henderson County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

With unfavorable report.

By Mr. Doughton, for the Committee on Finance:

H. B. 405, A bill to be entitled An act to revalue all real property in the State of North Carolina for the year 1933 to the end that it may be placed on the tax books at its true value in money.

With unfavorable report.

And,

S. B. 434, A bill to be entitled An act to authorize the Commissioner of Motor Vehicles to refund license fees paid on vehicles which are totally destroyed during license year.

And.

H. B. 653, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Cumberland County.

And.

H. B. 735, A bill to be entitled An act relating to tax revaluation in Bladen County.

With unfavorable reports.

And,

H. B. 1385, A bill to be entitled An act to allow the Commissioners of the Town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.

And,

H. B. 1386, A bill to be entitled An act to aid the collection of back taxes in the City of Hendersonville.

With favorable reports, as amended.

And.

S. B. 291, A bill to be entitled An act to amend chapter 333, Public Laws, 1929, relating to nonresident fur dealers license.

With a favorable report.

### ENGROSSED BILLS

Mr. Ray, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Vann: H. B. 1402, A bill to be entitled An act to amend Senate Bill No. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates, ratified March 27, 1933, relating to Hertford County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Gilliam by request: H. B. 1403, A bill to be entitled An act to amend the tax foreclosure act of 1933, known as House Bill No. 158, to exempt from its provisions Alamance County and the municipalities therein.

Placed on the Calendar.

By Mr. Watson: H. B. 1404, A bill to be entitled An act relative to the Recorder's Court of Rocky Mount.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Braddy: H. B. 1405, A bill to be entitled An act to fix the salaries and compensation of certain officers of Bladen County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1406, A bill to be entitled An act to permit the taking of fish from the waters of the Cape Fear River at Brown Landing with bow nets.

Referred to the Committee on Calendar.

And,

H. B. 1407, A bill to be entitled An act to permit fishing in the waters of White Lake in Bladen County in the night time.

Referred to the Committee on Calendar.

By Mr. Woodall: H. B. 1408, A bill to be entitled An act relating to the salary of the Mayor and Commissioners of the Town of Benson, Johnston County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1409, A bill to be entitled An act to relieve church property in the Town of Benson, Johnston County, from the payment of street and sidewalk paying assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ingram: H. B. 1410, A bill to be entitled An act to prohibit the Commissioners of the County of Macon from levying any special tax to pay

township bonds except in the townships where said bonds are voted and issued.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Coffey: H. B. 1411, A bill to be entitled An act to amend chapter 37, Private Laws of 1909, relating to the Charter of the City of Lenoir.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Greer: H. B. 1412, A bill to be entitled An act authorizing the Commissioners of the Town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.

Placed on the Calendar.

By Mr. Tompkins: H. B. 1413, A bill to be entitled An act to require the State Highway Commission to take over a certain road leading to Cullowhee Gap in Jackson County.

Referred to the Committee on Calendar.

By Mr. Galloway: H. B. 1414, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Brevard to relieve the churches of said town of all paving or other assessments charged against them.

Referred to the Committee on Finance.

By Messrs. Moore, Hoyle and Turner of Guilford: H. B. 1415, A bill to be entitled An act to amend chapter 78 of the Consolidated Statutes of North Carolina so as to authorize the investment of frust funds in building and loan associations.

Referred to the Committee on Insurance.

By Mr. Watson: H. B. 1416, A bill to be entitled An act to control the sale of beer.

Referred to the Committee on Calendar.

By Mr. Spruill: H. B. 1417, A bill to be entitled An act to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the selection of County Commissioners.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Turner of Guilford: H. B. 1418, A bill to be entitled An act to repeal House Bill 752, ratified the 20th day of March 1933, entitled, "An act to amend chapter 51, Public Laws of 1927, relating to hunting wild turkeys in Guilford County."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Etheridge: H. B. 1419, A bill to be entitled An act to amend chapter 136, Public Laws 1927, known as the Bus Law.

Referred to the Committee on Calendar.

By Messrs. Aycock of Wayne, Brady and Arndt: H. B. 1420, A bill to be entitled An act to regulate and provide for the inspection, grading, and testing of milk and to provide standards for the same.

Referred to the Committee on Agriculture.

By Mr. Hamilton: H. B. 1421, A bill to be entitled An act to amend Article 22 of chapter 27, Consolidated Statutes relating to civil jurisdiction of recorders courts with the provisions of this act applying only to the County of Carteret.

Referred to the Committee on Judiciary No. 1.

By Mr. Everett: H. B. 1422, A bill to be entitled An act relating to a moratorium of foreclosures of mortgages and deeds of trust.

Referred to the Committee on Judiciary No. 1.

By Mr. James: H. B. 1423, A bill to be entitled An act to exempt municipalities and counties from the payment of the tax on gasoline.

Referred to the Committee Finance.

By Mr. Ewing: H. B. 1424, A bill to be entitled An act to provide for certification of fertilizer laboratories.

Referred to the Committee on Agriculture.

By Mr. Garibaldi: H. B. 1425, A bill to be entitled An act to repeal H. B. 1102, being "An act to regulate the sale of milk bottles and containers in Mecklenburg County," ratified April 10, 1933.

Referred to the Committee on Calendar.

By Mr. Tompkins: H. B. 1426, A bill to be entitled An act to place Mrs. Emily J. Henson of Jackson County, widow of a Confederate Veteran, on the Pension Roll.

Referred to the Committee on Pensions.

By Mr. Haynes: H. B. 1427, A bill to be entitled An act to permit the discharge of the Grand Jury in Surry County when it has completed the business of its term.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Woodall and Grady: H. B. 1428, A bill to be entitled An act to authorize the Commissioners of Johnston County to retire sinking fund loans with county bonds.

Referred to the Committee on Finance.

### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 596, A bill to be entitled An act to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the Board of School Trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

Referred to the Committee on Education.

### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, April 26, 1933.

Pursuant to your request we are returning herewith H. B. 1145, title, "To make possible and provide for medical treatment and hospital care of poor, indigent, sick and injured persons in Iredell and Rowan Counties," for further consideration by your Honorable Body.

Respectfully,

LEROY MARTIN, Clerk of Senate.

Having been recalled from the Senate, on motion of Mr. Turner of Iredell, the vote by which the bill passed its third reading is reconsidered.

On motion of Mr. Turner of Iredell, the bill is laid on the Table.

SENATE CHAMBER, April 26, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives requesting the return of H. B. No. 920, title, "To amend section 220(b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investment of banking corporations in the securities affiliated or subsidiary corporation," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of Senate.

On motion of Mr. Neal, the bill is ordered returned to the Senate.

SENATE CHAMBER, April 26, 1933.

Mr. Speaker:

It is ordered that a mesasge be sent to the House of Representatives requesting the return of S. B. No. 556, title, "To amend chapter 25 of the Private Laws of 1911, increasing the number of Commissioners of the Town of Ellerbe from three to five," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of Senate.

On motion of Mr. Neal, the bill is ordered returned to the Senate.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1373, A bill to be entitled An act to provide for the expenses of revaluation of property in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1394, A bill to be entitled An act to regulate the fees of the Sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 559, A bill to be entitled An act to amend chapter 318, Public-Local Laws of 1931 for the relief of Iredell-Rowan County Drainage District No. 1. Passes its second and third readings, and is ordered Enrolled.

S. B. 588, A bill to be entitled An act to authorize the Committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

Passes its second and third readings, and is ordered Enrolled.

S. B. 591, A bill to be entitled An act to allow persons having deposits in closed banks in Rutherford County to sell same and to permit purchasers to apply such deposits in payment of debts or obligations which such purchasers may owe to such closed banks, and to regulate the time of liquidation of closed banks.

On motion of Mr. Etheridge, the bill is recommitted to the Committee on Banks and Banking.

S. B. 553, A bill to be entitled An act to provide the regulation of peddlers in the City of Charlotte, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1117, A bill to be entitled An act to improve the administration of justice in the courts of justices of the peace and to reduce the number of such justices and provide for their election and appointment.

Passes its second reading, and remains on the Calendar.

H. B. 1232, A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina.

As amended, the bill passes its second reading, and remains on the Calendar. H. B. 1395, A bill to be entitled An act to amend chapter 193, Public-Local Laws, 1921, fixing the salary of the Sheriff of Yadkin County, and to allow the Board of Commissioners to fix the salary of the Treasurer of said County and to empower said Board to levy an additional tax of five cents for the maintenance of the jail and courts of said County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, Woodall and Woodfin—80.

Those voting in the negative are: None.

S. B. 551, A bill to be entitled An act to authorize the Board of County Commissioners of Mecklenburg County to levy additional tax for the support of maintenance of the County Tubercular Hospital.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, Woodall and Woodfin—80.

Those voting in the negative are: None.

H. B. 1399, A bill to be entitled An act to provide for limitation of the net debt of the City of Burlington.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, Woodall and Woodfin—80.

Those voting in the negative are: None.

H. B. 1360, A bill to be entitled An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said City.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs, Arndt, Aycock of Wake, Aycock of Wayne, Bean, Bender, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lee, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of

Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Wilson, Womble, Woodall and Woodfin—80. Those voting in the negative are: None.

S. B. 391, A bill to be entitled An act to amend the Municipal Finance Act of North Carolina, and more particularly section 2943 of the Consolidated Statutes, as amended.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Amendment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, Etheridge, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Graham, Grant, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, McEachern, Neal, Olive, Phillips, Pope, Randolph, Ray, Rouse, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Iredell, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—80.

Those voting in the negative are: None.

S. B. 392, A bill to be entitled An act to amend section 2806 of the Consolidated Statutes of North Carolina, so as to authorize cities to fix and collect sewerage service charges.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Amendment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bender, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Crews, Culpepper, Dees, Doughton of Alleghany, Dowtin of Warren, Eaton, Edwards, Etheridge, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Graham, Grant, Greene, Greer, Griffin, Hamilton, Howell, Heyle, Hutchins, Ingram, Johnson of Chatham, Lee, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Moore, Morphew, Moss, Murphy, McEachern, Neal, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Smith, Spruill, Stevens, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—70.

Those voting in the negative are: Mr. Cowles-1.

S. B. 393, A bill to be entitled An act to amend section 2808 of the Consolidated Statues of North Carolina relating to municipal light and water plants.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Amendment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Bender, Bowie, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Graham, Grant, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Lee, Lumpkin, Makepeace, Mártin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, O'Berry, Olive, Phillips, Pope, Randolph, Ray,

Rouse, Smith, Sprinkle, Spruill, Stevens, Táylor of Mecklenburg, Thompson of Robeson, Tompkins, Turner of Guilford, Warlick, Williams, Wilson, Womble, Woodall and Woodfin—75.

Those voting in the negative are: Mr. Barden-1.

Committee Substitute for:

H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, Etheridge, Ewing, Flanagan, Gardner, Garibaldi, Garrou, Gilliam, Graham, Grant, Greene, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, James, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Olive, Pope, Randolph, Ray, Rouse, Smith, Sprinkle, Spruill, Sullivan, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble and Woodall—77.

Those voting in the negative are: Messrs. Galloway, Ingram, Johnson of Chatham, Lumpkin and Stevens—5.

House Committee Substitute:

S. B. 484, A bill to be entitled An act to authorize the issuance of funding bonds of the State.

Passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Substitute:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, Etheridge, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gilliam, Greene, Greer, Griffin, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Makepeace, Martin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Spruill, Stevens, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, White, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: Mr. Williams—1.

S. B. 525, A bill to be entitled An act to provide for and regulate the manufacture, transportation and sale of certain beverages.

An amendment offered by Mr. Massenburg is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is adopted.

An amendment offered by Mr. Culpepper is adopted.

An amendment offered by Mr. Flanagan is adopted.

Amendments offered by Mr. Martin are adopted.

The question now recurs upon the passage of the bill as amended, on its second reading.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Bender, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garrou, Gilliam, Grady, Graham, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Moss, Murphy, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Randolph, Ray, Rouse, Smith, Spruill, Stevens, Sullivan, Taylor of Mecklenburg, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Warlick, Watson, Williams, Wilson, Womble and Woodall—75.

Those voting in the negative are: Messrs. Cowles, Eaton, Everett, Greene, Monroe, Moye, Sprinkle, Tompkins and Woodfin—9.

On motion of Mr. Douglass, S. B. 294, A bill to be entitled An act to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags, is taken from the Committee on Appropriations and placed on the Calendar.

On motion of Mr. Turner of Guilford, H. B. 1262, A bill to be entitled An act to provide for Public Utility Rate Investigations, is taken from the Committee on Appropriations and recommitted to the Calendar Committee.

#### ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 459, An act regulating the fees of jurors and witnesses in the courts of Catawba County.
- S. B. 494, An act to repeal chapter 181 Public-Local Laws, Extra Session 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County and to provide an open season for foxes.
- S. B. 510, An act to amend section 1443 of the Consolidated Statutes, relating to terms of courts in Catawba County.
- S. B. 526, An act to amend Finance Committee Substitute Bill for Senate Bill No. 10, the same being An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, ratified the 3rd day of April, 1933.
- S. B. 552, An act to preserve and make more secure the Charter Rights of Davidson College in relation to the sale of beer, spiritus fermenti, or other intoxicants.
- S. B. 569, An act to amend An act entitled "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.
- S. B. 573, An act supplemental to and amendatory of House Bill 249, it being "An act to grant a new Charter for the Town of Pinebluff, Moore County, North Carolina," ratified March 1, 1933.

- S. B. 585, An act to amend An act entitled "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Catawba County.
- H. B. 786, An act to regulate the operation of dance and recreation halls in Buncombe County.
- H. B. 958, An act to amend section 1572 of the Consolidated Statutes as applicable to trials in Recorder's Courts in Henderson County.
- H. B. 1019, An act to regulate the salaries of public officials in Transylvania County and for other purposes.
- H. B. 1041, An act to exempt church property used exclusively for religious services and pastors residences, from the payment of street paving assessments and sidewalk assessments in the Town of Elkin.
- H. B. 1098, An act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck.
- H. B. 1107, An act to amend section 2187 of the Consolidated Statutes relating to the procedure to compel guardians to account. (Also amend chapter 9, section 2, Public Laws 1929.)
- H. B. 1266, An act to fix the compensation of the County Attorney for the County of Harnett.
- H. B. 1268, An act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the City of Asheville and their widows.
- H. B. 1348, An act to empower the Board of Aldermen of the City of Rocky Mount to relieve churches of paving assessments.
- H. B. 1382, An act to allow public institutions to repay certain excessive charges made in Cherokee County.
- H. B. 1335, An act to submit to the voters of the City of Raleigh the question of increasing the terms of office of the City Commissioners from two to four years.
- H. B. 1404, An act providing for the election of the Recorder and the Prosecuting Attorney of the Recorder's Court of Rocky Mount by a vote of the people.

On motion of Mr. Crews, the House adjourns and will meet tomorrow at 11 o'clock a.m.

#### NINETY-EIGHTH DAY

House of Representatives, Thursday, April 27, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. R. Freeman of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

ADVISORY OPINIONS OF CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF NORTH CAROLINA

In compliance with Joint Resolution 1270, title "Requesting the advisory opinion of Chief Justice and Associate Justices of the Supreme Court upon

H. B. 879, providing for the calling of a Convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment," the following is submitted:

The option requested by Joint Resolution No. 44 of the Senate and House of Representatives relates to the constitutionality of substitute for H. B. 879, which provides for the submission of the proposition, convention or no convention, to the qualified voters of the whole State at the next general election to be held on Tuesday after the first Monday in November, 1933, said election to be called exclusively for the purpose of passing upon the question of convention or no convention, and to elect delegates thereto in case a majority of the votes cast be in favor of said convention. The sole purpose of the convention, if and when assembled, is to ratify or reject a proposed amendment to the Constitution of the United States as submitted by the Seventy-second Congress.

It seems to me that this substitute bill meets all the requirements of constitutionality. When the General Assembly has duly adopted an act, every presumption is indulged in favor of its validity. *Adkins v. Children's Hospital*, 261, U. S., 524.

A convention called pursuant to Section 1, Article 13 of the State Constitution, as this bill proposes, would undoubtedly be authorized to act upon the proposed amendment to the Constitution of the United States as submitted by the Seventy-second Congress, for such is its declared purpose. Koehler v. Hill, 60 Iowa, 542. Indeed, its only purpose. And while the Constitution apparently contains no specific authority for limiting the powers of a convention called under this section, nevertheless the people themselves in voting upon the proposition, convention or no convention, may perforce, in terms of its submission, limit the authority of the convention, for, in this way, upon such condition of limitation alone will the call of the convention be approved by a majority of the qualified voters of the State. Green v. Shumway, 39 N. Y., 418. Of course, it would be subject to any restrictions contained in the Constitution of the United States. S. v. Keith, 63 N. C., 140; Chisholm v. Georgia, 1 U. S., 440.

In considering, ratifying or rejecting, the proposed amendment to the Constitution of the United States as submitted by the Seventy-second Congress, the said convention would, quoad hoc, be acting as a Federal agency with its authority as such agency grounded in the Constitution and laws of the United States. Leser v. Garnett, 258, U. S., 130; Rhode Island v. Palmer, 253 U. S., 350; Hawke v. Smith, 253 U. S., 221. This is so, because its action in this respect would affect all the people of the United States and not simply those of a single State. It would then be engaged in ratifying or rejecting a proposed amendment to the Constitution of the United States. Ex parte Dillon, 262 Fed., 563.

But going farther, I am of the opinion, that in calling a convention for this Federal function alone, Section 1, Article 13 of the State Constitution may be put aside as inapplicable and, therefore, not controlling on the General Assembly. This Section has reference to conventions called primarily to consider amendments to the State Constitution or changes in the State's governmental structure. The history of the Section, as I understand it, readily lends itself to this interpretation.

It is true, the language of said section, "No convention of the people of this State shall ever be called by the General Assembly, unless by the concurrence of two-thirds of all the members of each house of the General Assembly, and except the proposition, convention or no convention, be first submitted to the qualified voters of the whole State, at the next general election in a manner to be prescribed by law," literally construed, is broad enough to cover a convention called for the purpose of considering a proposed amendment to the Constitution of the United States. So, too, is the language of Section 2, Article 13 ("No part of the Constitution of this State shall be altered, unless a bill to alter the same shall have been agreed to by three-fifths of each house of the General Assembly; and the amendment or amendments so agreed to shall be submitted at the next general election to the qualified voters of the whole State, in such manner as may be prescribed by law") broad enough to prohibit a convention called under Section 1 from altering or amending the Constitution of the State, even though such convention be called for this specific purpose. Yet no one, I take it, would contend for such an interpretation. Language is but a vehicle of thought and may vary in color and content according to the circumstances of its use. Cole v. Fibre Co., 200 N. C., 484.

The title or heading of Article 13 is "Amendments," which, of course, has reference to the manner in which the State Constitution may be amended. But the proposed convention, if and when assembled, is to have no authority to consider amendments to the State Constitution. Then, why the necessity of calling it as if such were its purpose? The meaning of a constitution is to be found, not in a slavish adherence to the latter, which sometimes killeth, but in the discovery of its spirit, which giveth life.

It is also true that the customary manner of calling constitutional conventions in the United States is by resolution of the legislature followed by a submission of the question to the electorate. Miller v. Johnson, 92 Ky., 589; S. v. Dahl, 6 N. D., 81. But as the Constitution of the United States is silent on the subject, it would seem that the resolution calling a convention in the State solely for the purpose of ratifying or rejecting a proposed amendment to the Constitution of the United States need not be submitted to the electorate for approval. "It is the accepted position in this State that our Constitution in vesting the General Assembly with legislative authority, conferred and intended to confer upon that body all the 'legislative powers of the English Parliament or other government of a free people,' except where restrained by express constitutional provision or necessary implication therefrom"—Hoke, J., in S. v. Burnett, 179 N. C., 735. See, also, Yarborough v. Park Commission, 196 N. C., 284. However, as the present bill proposes to submit the proposition, convention or no convention, to the qualified voters of the whole State at a general election to be held for the purpose, the question of a direct call by the General Assembly is no longer presented. The suggestion has even been made that, for this Federal function alone, Congress itself might prescribe the manner and method of calling the conventions in the several States as a necessary incident to its right to select the mode of ratification. But in submitting the proposed twenty-first amendment Congress has left the question of the call of the conventions to the States.

We have, then, two widely separated schools of thought on the subject. One which holds that the provisions of the State Constitution are controlling on the General Assembly in calling a convention for any purpose. The other which takes the view that for the Federal function alone the Congress may provide for the call. Fortunately, the problem presently presented may be solved without going with the extremes of either school.

The suggestion that a convention be called comes from the Congress of the United States acting under authority of Article V of the Federal Constitution. This is its right. The purpose of the convention is to consider and to act upon a proposed amendment to the Constitution of the United States. The authority to ratify or to reject the proposal has its sources in the Federal law. "The act of ratification by the State derives its authority from the Federal Constitution to which the State and its people have alike assented," says Mr. Justice Day in Hawke v. Smith, supra. All efforts heretofore made by some of the States, to circumscribe or to limit the exercise of this authority, by provisions inserted in their own constitutions, have been held for naught. Leser v. Garnett, supra.

It is my opinion that the General Assembly of North Carolina in calling a convention for the sole purpose of considering a proposed amendment to the Constitution of the United States, may exercise its own judgment and provide for the submission of the question under the provisions of section 1, article 13 of the State Constitution, or it may call such convention in the exercise of its plenary powers without regard to the provisions of said section. It follows, therefore, from this view of the matter, that it can make no difference, so far as the constitutionality of the present bill is concerned, whether the election be designated a general or a special one. I have no doubt as to the constitutionality of the bill submitted.

Respectfully,

W. P. STACY, Chief Justice.

Responding to the resolution requesting the opinion of the several Justices of the Supreme Court, you are advised that I hold the view that Article XIII, section 1, of the Constitution of North Carolina, is a piece of political machinery, designed and fashioned for the sole purpose of amending or changing the structure of the organic law of this State, and hence is not set in motion in amending the Federal Constitution.

Nevertheless, assuming that Article XIII, section 1, is applicable, does the proposed House bill No. 879 contravene either the letter or spirit thereof? Article XIII, section 1, is built upon three pillars, to wit: (1) proper resolution of both houses of the General Assembly; (2) submission of the question to the qualified voters of the State, and (3) at the next general election.

House bill No. 879 contemplates a proper resolution and a popular vote, Therefore, the only question that could possibly arise would relate to the calling of a general election in November, 1933. The Constitution does not define a general election either in terms or by implication. Hence this field has been left exclusively to legislative judgment and discretion. The term "general election" implies and imports upon its face an election throughout the entire State, called and conducted in accordance with legislative

fiat. Time is not of the essence of the power. Consequently, the lawmakers can select any day on the calendar so far as constitutional inhibition or regulation is concerned. The same idea was expressed by the Oregon Court in Norton v. Coos County, 233 Pac., 864, in these words: "The principle is that if an election occurs throughout the State uniformly by direct operation of law, it is a general election."

These considerations lead my mind to the definite conclusion that House bill No. 879, when duly enacted, will be valid and free from maintainable constitutional objection.

Respectfully,

W. J. BROGDEN, Associate Justice.

Responding to the request embodied in Joint Resolution No. 44 of the Senate and House of Representatives relative to the constitutionality of substitute for House bill No. 879, I express the opinion that the substitute bill meets the requirements of the Constitution of North Carolina and when duly enacted by the General Assembly will be valid and effective in law.

Respectfully,

W. J. ADAMS, Associate Justice.

Complying with the request of the General Assembly contained in its Joint Resolution No. 44, a copy of which has been delivered to me as an Associate Justice of the Supreme Court of North Carolina, I have given careful consideration to the provisions of the substitute for House bill No. 879, entitled "An act to provide for the calling of a convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment."

I am of the opinion that a Convention of the people of this State called, constituted and organized in accordance with the provisions of the substitute for House bill No. 879, now pending in the House of Representatives, if the said bill shall be duly enacted by the General Assembly, will be valid for the purpose of considering, ratifying or rejecting the proposed amendment on behalf of the people of this State.

I do not discuss interesting questions of constitutional law suggested by a consideration of the bill, about which there is much conflict of opinion, for the reason that these questions are not now presented.

In my opinion, the substitute for House bill No. 879 is in strict compliance with the provisions of section 1, of Article XIII of the Constitution of North Carolina, and for that reason a convention of the people of this State held under its provisions will be valid for the purpose expressed in the bill.

Respectfully,

GEO. W CONNOR,
Associate Justice.

Responding to another resolution (Joint Resolution No. 44) requesting the opinion of the several Justices of the Supreme Court on the constitutionality of House bill No. 879, in my opinion it is practically the same as answered before, except calling a special election "for the sole and exclusive purpose," a general election. The Constitution of North Carolina, Article XIII, section 1, requiring "convention or no convention be first submitted to the qualified voters of the whole State at the next general election in a manner to be prescribed by law," clearly means the manner of conducting the election to be prescribed by the General Assembly, the law-making body, but same must be held at the next general election which is well understood to be the general election in November, 1934.

In the former opinion, which was signed by all the Justices, it was held in this matter: "in its final analysis is a Federal question and can be answered only by the Supreme Court of the United States when properly presented to that Court." I quote the former opinion:

"It is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as individuals, that a Convention called, organized and held under the provisions of Senate bill No. 320, introduced by Senator MacLean, and now pending in the Senate, if said bill shall be enacted by the General Assembly of North Carolina would be valid under the provisions of section 1, Article XIII of the Constitution of North Carolina, and that the action of such Convention upon the proposed amendment to the Constitution of the United States would be valid and effective for all purposes.

There is a difference of opinion, however, among the Chief Justice and the Associate Justices of the Supreme Court of North Carolina, as to the validity of a Convention in this State as provided for, organized and held under the provisions of House bill No. 879, introduced by Representative Murphy, and now pending in the House of Representatives, if said bill shall be enacted by the General Assembly, the majority being of opinion that such Convention would not be valid for any purpose, the minority being of a contrary opinion.

It is deemed proper to say that it is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina that the question presented by Joint Resolution No. 31, in its final analysis is a Federal question, and can be answered only by the Supreme Court of the United States, when properly presented to that Court. Whether or not a proposed amendment to the Constitution of the United States has been submitted by Congress and ratified in accordance with the provisions of Article V of the said Constitution, must necessarily be determined finally by the Supreme Court of the United States.

Notwithstanding this principle, we have deemed it our duty as Chief Justice and Associate Justices of the Supreme Court of this State to comply with the requests of the General Assembly contained in Joint Resolution No. 31."

Respectfully,

HERIOT CLARKSON,
Associate Justice.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Neal, for the Committee on Counties, Cities and Towns:

S. B. 379, A bill to be entitled An act relating to the Board of County Commissioners of Buncombe County, fixing their duties,

With unfavorable report.

By Mr. Makepeace, for the Committee on Game:

H. B. 397, A bill to be entitled An act regulating the open season for game and providing for certain license fees in the County of Ashe.

And.

H. B. 597, A bill to be entitled An act to provide an open season for game, birds and animals in Wilson County, and to regulate hunting and fishing in said county.

With favorable reports, as amended.

And,

S. B. 539, A bill to be entitled An act to prohibit the taking of mink, muskrat, raccoon, opossum and otter in Northampton County for a period of two years.

With unfavorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time and disposed of as follows:

By Mr. Galloway: H. B. 1429, A bill to be entitled An act to permit citizens of Transylvania County to fish in the French Broad River without procuring a license therefor.

Referred to the Committee on Calendar.

By Mr. Culpepper: H./B. 1430, A bill to be entitled An act to regulate and prohibit the possession and use of slot machines and other device in Pasquotank County.

Referred to the Committee on Calendar.

By Mr. McEachern: H. B. 1431, A bill to be entitled An act to prohibit the setting of steel traps in Hoke County.

Referred to the Committee on Game.

By Mr. Haynes: H. B. 1432, A bill to be entitled An act to clarify H. B. 154 and H. B. 285, relative to street assessments in Elkin, North Carolina. Referred to the Committee on Calendar.

By Mr. Cameron: H. B. 1433, A bill to be entitled An act to place Mrs. Margaret Currie and Mrs. Flora Ann McFadyen of Moore County, widows of Confederate Veterans, on the Pension Roll.

Referred to the Committee on Pensions.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 611, A bill to be entitled An act to divest and terminate the criminal jurisdiction of the Mayor of Wilson and confer upon the General County Court of said county the jurisdiction of the Mayor's Court of the City of Wilson, and to amend the General County Court acts as relate to Wilson County in order to dispense with juries in criminal cases, to change the return date of warrants, to abolish jury tax and stenographer fees in criminal cases, to change solicitor's fees, and to empower the Clerk of the Superior Court of Wilson County to appoint deputy General County Court clerks and temporary emergency judges and solicitors for said court.

On motion of Mr. Boswell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 470, A bill to be entitled An act to amend the Primary Law for Mitchell County regarding second primaries.

Referred to the Committee on Calendar.

S. B. 599, A bill to be entitled An act to amend S. B. 451, ratified April 24, 1933, same being "An act allowing and directing the fax-collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes."

Referred to the Committee on Calendar.

S. B. 601, A bill to be entitled An act to amend the Machinery Act of 1933, relating to assessment of property in Bladen County.

Referred to the Committee on Calendar.

H. B. 1322, A bill to be entitled An act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay.

For concurrence in the Senate Amendment.

On motion of Mr. Bowie, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

S. R. 602, Joint resolution requesting Congress to maintain the regional offices of the United States Veterans Administration.

On motion of Mr. Howell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 610, A bill to be entitled An act to regulate the hunting of foxes in Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1372, A bill to be enitled An act to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank, held by him, for distribution to the depositors of said Bank.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1385, A bill to be entitled An act to allow the Commissioners of the Town of Laurel Park, in Henderson County, to accept bonds and/or notes in payment of taxes.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1386, A bill to be entitled An act to aid the collection of back taxes in the City of Hendersonville.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1412, A bill to be entitled An act authorizing the Commissioners of the Town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 387, A bill to be entitled An act relating to the disposition of witness' fees and officers' fees in the office of the Clerk of the Superior Court of Wilkes County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 437, A bill to be entitled An act to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the City of High Point.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1232, A bill to be entitled An act to appoint Justices of the Peace for the several counties of North Carolina.

Several amendments are offered and adopted.

As amended, the bill passes its third reading and is ordered Engrossed and sent to the Senate.

H. B. 1428, A bill to be entitled An act to authorize the Commissioners of Johnston County to retire sinking fund loans with county bonds.

On motion of Mr. Grady, the bill is taken from the Committee on Finance and placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1150, A bill to be entitled An act to regulate piloting by persons not holding proper license.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1277, A bill to be entitled An act to amend S. B. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1117, A bill to be entitled An act to improve the administration of justice in the courts of Justices of the Peace and to reduce the number of such Justices and provide for their election and appointment.

On motion of Mr. Spruill, the bill is laid on the table.

H. B. 1360, A bill to be entitled An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Falkner, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, McEachern, McLauchlin, Neal, O'Berry, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—90.

Those voting in the negative are: None.

H. B. 1399, A bill to be entitled An act to provide for limitation of the net debt of the City of Burlington.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Falkner, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, McEachern, McLauchlin, Neal, O'Berry, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Spruill, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—90.

Those voting in the negative are: None.

S. B. 551, A bill to be entitled An act to authorize the Board of County Commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the County Tubercular Hospital.

Passes its third reading by the following vote and is ordered Enrolled:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brock, Brown, Cameron, Cherry, Coffey, Cowles, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Falkner, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Greene, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, McEachern, McLauchlin, Neal, O'Berry, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Spruill, Stevens, Sullivan,

Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—90.

Those voting in the negative are: None.

S. B. 525, A bill to be entitled An act to provide for and regulate the manufacture, transportation and sale of certain beverages.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House amendments:

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Falkner, Flanagan, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Greer, Griffin, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, McLauchlin, Neal, Newman, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Smith, Sprinkle, Spruill, Stevens, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, Williams, Wilson, Womble, Woodall and Young—86.

Those voting in the negative are: Messrs. Cowles, Eaton, Moye and White-4.

Committee substitute for: H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tracfors, trailers, semi-trailers and busses.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Crews, Culpepper, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Greer, Griffin, Hamilton, Haynes, Howell, Hoyle, Hutchins, James, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mebane, Monroe, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Smith, Spruill, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Williams, Wilson, Womble and Woodall—84.

Those voting in the negative are: Stevens-1.

The original bill is laid on the table.

H. B. 1403, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as H. B. 158, to exempt from its provisions Alamance County and the municipalities therein.

Mr. Gilliam offers a substitute for the bill.

The substitute is adopted, and remains on the Calendar for its second reading roll call.

## CONFERENCE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

The undersigned Conference Committee, appointed to consider amendments to S. B. 361, being "An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State-supported institutions of higher learning in North Carolina," report their findings as follows, to wit:

Amendment No. 1. It is recommended that the Senate adopt House amendment No. 1, exempting indigent cripples from the provisions of the bill.

Amendment No. 2. It is recommended that the Senate adopt House amendment No. 2, exempting students physically disabled, and so certified to be by the Vocational Rehabilitation Division of the State Board for Vocational Education.

Amendment No. 3. It is recommended that the house recede from its amendment No. 3 as follows, to wit: "That the tuition fees charged at Western Carolina Teachers College, East Carolina Teachers College and Appalachian State Teachers College shall be uniform."

All of which is respectfully submitted, this April 24th, 1933.

T. W. M. Long,
Hayden Clement,
Conferees on the part of the Senate.
Walter Murphy,
Ernest Graham,
C. W. Allen,
Conferees on the part of the
House of Representatives.

On motion of Mr. Murphy, the Conference Report is adopted, and the Senate is so notified, to the end that if a similar report is adopted by that body, they may order the bill Enrolled.

On motion of Mr. Randolph, H. B. 1389, A bill to be entitled An act to authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the Town of Bryson City, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Doughton, S. B. 119, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes, relating to tax on dogs, is taken from the Unfavorable Calendar and recommitted to the Committee on Finance.

On motion of Mr. Lumpkin, H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician, is taken from the Unfavorable Calendar and recommitted to the Calendar Committee.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duy ratified and sent to the office of the Secretary of State:

S. B. 553, An act to provide the regulation of peddlers in the City of Charlotte, North Carolina.

S. B. 559, An act to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage Diistrict No. 1.

S. B. 588, An act to authorize the Committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

S. B. 449, An act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties."

H. B. 1191, An act to authorize, empower and direct the Board of Commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County.

H. B. 1225, An act to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County.

H. B. 1391, An act to amend Senate bill No. 334, ratified the 27th day of March, 1933, the same being "An act amending the Recorder's Court for Thomasville."

On motion of Mr. Graham, the House takes a recess until three o'clock p.m.

# AFTERNOON SESSION

House of Representatives, Thursday Afternoon, April 27, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Etheridge, for the Committee on Banks and Banking:

S. B. 591, A bill to be entitled An act to allow persons having deposits in closed banks in Rutherford County to sell same and to permit perchasers to apply such deposits in payment of debts or obligations which such purchasers may owe to such closed banks, and to regulate the time of liquidation of closed banks.

With unfavorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Doughton: H. B. 1434, A bill to be entitled An act to amend chapter 261 of the Public Laws of 1931, giving the Advisory Budget Com-

mission authority to make rules and regulations governing the operation of the Division of Purchase and Contract.

Referred to the Committee on Finance.

By Messrs. Moss, Watson and Eagles: H. B. 1435, A bill to be entitled An act providing for the appointment of a court reporter for the Second Judicial District of North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Braddy: H. B. 1436, A bill to be entitled An act relating to disposition and use of back taxes collected in Carver's Creek Township Special School Tax District, Bladen County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1437, A bill to be entitled An act to amend H. B. 880, ratified March 28, 1933, being "An act providing for renewal of notes and mortgages due Columbus County."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Womble: H. B. 1438, A bill to be entitled An act to amend chapter 197, Private Laws 1907, relating to elections in the Town of Garner.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Davis: H. B. 1439, A bill to be entitled An act to fix the salary of the Sheriff of Hyde County.

Referred to the Committee on Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Committee substitute for: H. B. 748, A bill to be entitled An act to create a State Textbook Commission and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

A substitute for the Committee substitute having been offered by Mr. Cameron, the question now recurs upon the adoption of said substitute.

The substitute for the Committee substitute is adopted.

The question now recurs upon the passage of the substitute on its several readings.

Passes its second reading, and remains on the Calendar.

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

Committee amendments are adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 1330, A bill to be entitled An act to provide an extended public school term in the City of Charlotte, and to amend chapter 75, Private Laws, Extra Session of 1913, and section 206, chapter 342, Private Laws of North Carolina, Session 1907.

On motion of Mr. Taylor of Mecklenburg, consideration is postponed until Tuesday, May 2d.

On motion of Mr. Murphy, the House adjourns until ten o'clock tomorrow.

## NINETY-NINETH DAY

House of Representatives, Friday, April 28, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. R. Farris of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Moss, for the Committee on Calendar:

S. B. 587, A bill to be entitled An act to repeal Senate bill No. 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

And.

S. B. 593, A bill to be entitled An act to amend the charter of the Town of Morganton providing for payment of taxes in partial or installment payments.

And.

H. B. 1416, A bill to be entitled An act to control the sale of beer.

H. B. 1425, A bill to be entitled An act to repeal House bill No. 1102, being "An act to regulate the sale of milk bottles and containers in Mecklenburg County," ratified April 10, 1933.

And,

H. B. 1406, A bill to be entitled An act to permit the taking of fish from the waters of the Cape Fear River at Brown Landing with bow nets.

And, Fi. B. 1419, A bill to be entitled An act to amend chapter 136, Public Laws 1927, known as the Bus Law.

And,

S. B. 470, A bill to be entitled An act to amend the Primary Law for Mitchell County regarding second primaries.

And,

H. B. 1430, A bill to be entitled An act to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.

And,

H. B. 1439, A bill to be entitled An act to fix the salary of the Sheriff of Hyde County.

With favorable reports.

And,

H. B. 1400, A bill to be entitled An act to permit old documents to be recorded where official seal of officer has not been affixed.

With a favorable report, as amended.

And,

H. B. 1413, A bill to be entitled An act to require the Highway Commission to take over a certain road leading to Cullowhee Gap in Jackson County.

With a favorable report, and on motion of Mr. Tompkins, the bill is recommitted to the Calendar Committee.

And,

H. B. 913, A bill to be entitled An act to require the State Highway Commission to place certain public county roads in Transylvania County on the State-maintained list, and to maintain same.

With an unfavorable report as to bill, favorable as to the Committee substitute.

And.

S. B. 523, A bill to be entitled An act to amend section 1136 of the Consolidated Statutes to provide for the filing of annual reports (other than tax reports) of domestic and foreign corporations doing business in this State, and to provide a fee for the same.

And.

H. B. 1407, A bill to be entitled An act to permit fishing in the waters of White Lake, in Bladen County, in the night time.

With unfavorable reports.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 1421, A bill to be entitled An act to amend article 22 of chapter 27 of the Consolidated Statutes of North Carolina relating to civil jurisdiction of Recorders' Courts with the provisions of this act applying only to the County of Carteret.

And.

S. B. 572, A bill to be entitled An act fixing the fees of jurors in Clay and Macon counties.

With favorable reports.

And,

H. B. 1244, A bill to be entitled An act to provide suitable regulations for the manufacture and sale of beer and other beverages.

And,

H. B. 1254, A bill to be entitled An act to incorporate the Town of Knollwood Village in the County of Moore.

And,

H. B. 1422, A bill to be entitled An act relating to a moratorium of foreclosures of mortgages and deeds of trust.

And.

H. B. 147, A bill to be entitled An act to regulate the civil liability of the owner or operator of a motor vehicle for negligent injury to a guest.

H. B. 148, A bill to be entitled An act to regulate recoveries in tort actions by guardians and other persons in loco parentis.

And

H. B. 1200, A bill to be entitled An act to provide for the arbitration of labor disputes.

And,

H. B. 1203, A bill to be entitled An act to reduce the number of grand jurors. And,

S. B. 477, A bill to be entitled An act fixing the venue of civil actions for the foreclosure of liens and chattel mortgages.

With unfavorable reports.

And,

H. B. 1384, A bill to be entitled An act to restore to the County Commissioners of Madison County the powers and duties set forth in chapter 24 of the Consolidated Statutes.

With an unfavorable report, with a minority report attached.

By Mr. Turner of Guilford, for the Committee on Judiciary No. 2:

S. B. 463, A bill to be entitled An act to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927.

With an unfavorable report as to bill, favorable as to House Committee substitute.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate:

It is so ordered.

H. B. 1385, A bill to be entitled An act to allow the Commissioners of the Town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.

H. B. 1386, A bill to be entitled An act to aid the collection of back taxes in the City of Hendersonville.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Olive: H. B. 1440, A bill to be entitled An act to amend chapter 196, Private Laws of the State of North Carolina, 1929, being "An act to amend the act incorporating the City of Thomasville, North Carolina."

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Berryman: H. B. 1441, A bill to be entitled An act to give owners of peanut pickers and threshing machines a lien on peanuts picked in Chowan County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Garrou: H. B. 1442, A bill to be entitled An act to create a Game Commission for Burke County and to regulate fishing in certain waters of said county.

Placed on the Calendar.

By Mr. Ray: H. B. 1443, A bill to be entitled An act to amend the charter of the City of Hendersonville.

Referred to the Committee on Calendar.

And.

H. B. 1444, A bill to be entitled An act to amend the charter of the City of Hendersonville.

Referred to the Committee on Calendar.

By Mr. Rouse: H. B. 1445, A bill to be entitled An act to make the office of County Accountant of Lenoir County elective.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Coffey: H. B. 1446, A bill to be entitled An act to repeal chapter 88, Public-Local Laws 1929, relating to pool and billiard rooms in Caldwell County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1447, A bill to be entitled An act to provide for the erection of a retaining wall between Waccamaw Lake and the Town of Lake Waccamaw.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And.

H. B. 1448, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

Referred to the Committee on Calendar.

By Messrs. Hoyle, Moore, and Turner of Guilford: H. B. 1449, A bill to be entitled An act authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the Municipal Court of the City of Greensboro.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engressment.

By Mr. Morphew (by request): H. B. 1450, A bill to be entitled An act to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before Justices of the Peace where clerk's certificates or order of registration defective.

Placed on the Calendar.

By Mr. Crews: H. B. 1451, A bill to be entitled An act to amend House bill 565, same being "A bill to be entitled An act to amend chapter 520 of the Public-Local Laws of 1915, being An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court," ratified March 16, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Turner of Guilford: H. B. 1452, A bill to be entitled An act to prohibit the sale of beer, wine, or other intoxicating liquors within one and one-half miles of Guilford College.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

And,

H. B. 1453, A bill to be entitled An act to prohibit the sale of beer, wine and other intoxicating liquors within one and one-half miles of Oak Ridge Military Institute.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Lumpkin: H. B. 1454, A bill to be entitled An act to encourage the enforcement of the Turlington Act in Franklin County.

Referred to the Committee on Judiciary No. 1:

By Mr. Boswell: H. B. 1455, A bill to be entitled An act to empower the County Commissioners of Wilson County to fix the salaries of officers of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Tompkins: H. B. 1456, A bill to be entitled An act to separate from the payroll of North Carolina certain foresters.

Referred to the Committee on Conservation and Development.

By Mr. Young: H. B. 1457, A bill to be entitled An act to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said county.

Referred to the Committee on Calendar.

And,

H. B. 1458, A bill to be entitled An act relating to a moratorium on foreclosures of mortgages and deeds of trust.

Referred to the Committee on Calendar.

And,

H. B. 1459, A bill to be entitled An act to amend Senate bill No. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

Referred to the Committee on Calendar.

By Mr. Aycock of Wake: H. B. 1460, A bill to be entitled An act to authorize the Board of Commissioners of Wake County to issue bonds to fund a valid and outstanding indebtedness of the School Committee of Raleigh Township.

Referred to the Committee on Calendar.

By Mr. Wilson: H. R. 1461, Joint resolution to have printed ten thousand copies of Senate bill No. 525, it being An act to provide for and regulate the manufacture, transportation and sale of certain beverages.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and Court expenses.

Referred to the Committee on Finance.

S. B. 608, A bill to be entitled An act to authorize and empower the City of Wilmington to donate water to the Young Men's Christian Association of said city.

Referred to the Committee on Calendar.

H. B. 931, A bill to be entitled An act to regulate charges made by the City of Asheville for water consumed in Buncombe County water districts.

For concurrence in the Senate substitute.

On motion of Mr. Sullivan, the Senate substitute is adopted.

Passes its second and third readings and is ordered Enrolled.

The original bill is laid on the table.

## SPECIAL MESSAGE

SENATE CHAMBER,

April 28, 1933.

Mr. Speaker:

Pursuant to your request, we are returning herewith H. B. 1389, title, "To authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the Town of Bryson City," for further consideration by your Honorable Body.

Respectfully,

LEROY MARTIN, Clerk of Senate. Having been recalled from the Senate, on motion of Mr. Randolph, the vote by which the bill passed its third reading is reconsidered.

Mr. Randolph offers a substitute for the bill.

Substitute is adopted.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 397, A bill to be entitled An act regulating the open season for game and providing for certain license fees in the County of Ashe.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 597, A bill to be entitled An act to provide an open season for game birds and animals in Wilson County, and to regulate hunting and fishing in said county.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Substitute for Committee substitute for: H. B. 748, A bill to be entitled An act to create a State textbook commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

An amendment offered by Mr. Tompkins is adopted.

As amended, the bill passes its third reading, and is ordered sent to the Senate without Engrossment.

The original bill and committee substitute are laid on the table.

S. B. 458, A bill to be entitled An act to amend the North Carolina Game Law.

As amended, the bill passes its third reading and is ordered sent to the Senate for concurrence in the House amendment.

H. B. 395, A bill to be entitled An act to abolish the State Textbook Commission and to prohibit the State Board of Education from changing books either in primary or public high schools of North Carolina for a period of ten years from the date of the ratification of this act.

On motion of Mr. Pope, the bill is laid on the table.

H. B. 559, A bill to be entitled An act to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Second Committee substitute for: H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

Second Committee substitute is adopted.

An amendment offered by Mr. O'Berry and others is lost.

An amendment offered by Mr. Thompson of Beaufort is adopted.

As amended, the second Committee substitute passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill and first Committee substitute are laid on the table.

Committee substitute for: H. B. 1135, A bill to be entitled An act to amend chapter 99, Public Laws 1931, relative to contracts for auditing and accounting to be awarded to the lowest bidder.

The Committee substitute is adopted, and remains on the Calendar for its further consideration.

Committee substitute for: H. B. 1141, A bill to be entitled An act to amend House bill 158, ratified March 13, 1933, being An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes so as to provide an alternative method of notification.

The Committee substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1128, A bill to be entitled An act to amend section 130 of chapter 427. Public Laws 1931, relating to tax on slot machines.

On motion of Mr. Doughton, the bill is laid on the table.

H. B. 1143, A bill to be entitled An act to fix the status of certain acreage made by intra-coastal waterway dredging operations.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1144, A bill to be entitled An act to amend section 16 (a), chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers' license tags.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1166, A bill to be entitled An act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband in criminal prosecutions for the abandonment and non-support of children.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1167, A bill to be entitled An act to dispense with affidavit of six months knowledge of grounds for divorce where such divorce is sought on the grounds of separation.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1172, A bill to be entitled An act to legalize the probate of corporations taken prior to the first day of January, 1918.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1123, A bill to be entitled An act to amend chapter 249, Public Laws 1931, relating to the extension of special assessments.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Beasley, Berryman, Binford, Boswell, Braddy, Brawley, Cameron, Cherry, Coffey, Cover, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards,

Etheridge, Everett, Falkner, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Grady, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Moss, McEachern, Neal, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Smith, Sprinkle, Spruill, Stevens, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall and Woodfin—80.

Those voting in the negative are: None.

Substitute for: H. B. 1403, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House bill No. 158 to exempt from its provisions Alamance County and the municipalities therein.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Flanagan, Gardner, Garibaldi, Garrou, Gatling, Gilliam, Graham, Grant, Greer, Griffin, Groves, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Makepeace, Martin, Mizzell, Monroe, Moore, Morphey, Moss, Murphy, McEachern, Neal, O'Berry, Olive, Phillips, Pope, Rouse, Smith, Spruill, Stevens, Sullivan, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—86.

Those voting in the negative are: Mr. Randolph-1.

H. B. 1363, A bill to be entitled An act to create a public utility district and a district utility corporation for the City of Greensboro and County of Guilford and to define the powers, duties and scope thereof.

As amended, the bill fails to pass its third reading by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Berryman, Binford, Braddy, Cameron, Cover, Davis, Douglass, Edwards, Etheridge, Ewing, Falkner, Galloway, Gilliam, Graham, Hoyle, Ingram, James, Johnson of Pender, Moore, McEachern, Phillips, Spruill, Thompson of Beaufort, Turner of Guilford, Vann, Watson and Woodfin—29.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Bean, Beasley, Boyd, Brawley, Cherry, Coffey, Crews, Culpepper, Dees, Doughton of Alleghany, Dowtin of Warren, Eagles, Eaton, Everett, Flanagan, Gardner, Garibaldi, Garrou, Grady, Greer, Groves, Haynes, Hutchins, Johnson of Chatham, Lumpkin, Martin, Massenburg, Mizzell, Monroe, Moss, Murphy, Neal, Newman, O'Berry, Pope, Rouse, Smith, Sprinkle, Stevens, Sullivan, Taylor of Halifax, Thomas, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Wilson and Womble—51.

The following pairs are announced:

Mr. Hamilton with Mr. Ledford—were Mr. Ledford present he would vote "no," Mr. Hamilton would vote "aye."

Mr. Olive with Mr. Ruark—were Mr. Ruark present he would vote "no," Mr. Olive would vote "aye."

Mr. Cox with Mr. Ray—were Mr. Cox present he would vote "no," Mr. Ray would vote "aye."

Mr. Randolph with Mr. Froneberger—were Mr. Froneberger present he would vote "aye," Mr. Randolph would vote "no."

Mr. Womble makes a motion that the vote by which the bill failed to pass its third reading be reconsidered, and that this motion be laid on the table.

It is so ordered.

On motion of Mr. Moss, H. B. 1429, a bill to be entitled An act to permit citizens of Transylvania County to fish in the French Broad River without procuring a license therefor, is taken from the Calendar Committee and recommitted to the Committee on Conservation and Development.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 387, An act relating to the disposition of witness fees and officers' fees in the office of the Clerk of the Superior Court of Wilkes County.

S. B. 437, An act to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the City of High Point.

S. B. 551, An act to authorize the Board of County Commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the County Tubercular Hospital.

S. R. 602, Joint resolution requesting Congress to maintain the regional offices of the United States Veterans Administration.

S. B. 611, An act to divest and terminate the criminal jurisdiction of the Mayor of Wilson and confer upon the General County Court of said County the jurisdiction of the Mayor's Court of the City of Wilson, and to amend the General County Court acts as relate to Wilson County in order to dispense with juries in criminal cases, to change the return date of warrants, to abolish jury tax and stenographer fees in criminal cases, to change solicitor's fees, and to empower the Clerk of the Superior Court of Wilson County to appoint deputy General County Court clerks and temporary emergency judges and solicitors for said court.

H. B. 1086, An act to authorize the Commissioners of the City of Hendersonville and the Board of Water Commissioners of the City of Hendersonville to cancel assessments against all churches and synagogues located in the City of Hendersonville.

H. B. 1322, An act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion to the ability of the taxpayers to pay.

H. B. 1340, An act to incorporate the Town of Cherry, in Washington County.

H. B. 1343, An act to repeal Senate bill 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County."

H. B. 1405, An act to fix the salaries and compensation of certain officers of Bladen County.

- S. B. 525, An act to provide for and regulate the manufacture, transportation and sale of certain beverages.
- H. B. 1438, An act to amend chapter 197, Private Laws 1907, relating to elections in the Town of Garner.

On motion of Mr. O'Berry, the House takes a recess until 3:30 o'clock.

## AFTERNOON SESSION

House of Representatives, Friday, April 28, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

S. B. 597, A bill to be entitled An act to amend House bill No. 1338, ratified April 21, 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates."

On motion of Mr. Cherry, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 598, A bill to be entitled An act to amend House bill No. 1114, ratified on March 31, 1933, entitled "An act authorizing the City of Gastonia to issue tax anticipation certificates."

On motion of Mr. Cherry, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1406, A bill to be entitled An act to permit the taking of fish from the waters of the Cape Fear River at Brown Landing with bow nets.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1421, A bill to be entitled An act to amend article 22 of chapter 27 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of Recorders' Courts with the provisions of this act applying only to the County of Carteret.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1430, A bill to be entitled An act to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1442, A bill to be entitled An act to create a game commission for Burke County, and to regulate fishing in certain waters of said county.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 572, A bill to be entitled An act fixing the fees of jurors in Clay and Macon counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 587, A bill to be entitled An act to repeal Senate bill 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1425, A bill to be entitled An act to repeal House bill 1102, being "An act to regulate the sale of milk bottles and containers in Mecklenburg County," ratified April 10, 1933.

On motion of Mr. Garibaldi, the bill is laid on the table.

S. B. 593, A bill to be entitled An act to amend the charter of the Town of Morganton providing for payment of taxes in partial or installment payments.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1173, A bill to be entitled An act to amend section 4506 of the Consolidated Statutes defining the punishment of drivers of motor vehicles while intoxicated.

As amended, the bill fails to pass its second reading.

H. B. 1185, A bill to be entitled An act to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1188, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes relating to the reopening of judicial and other sales on advance bid.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1189, A bill to be entitled An act to amend section 93 of the Consolidated Statutes relating to preference of funeral expenses in the payment of claims against estates of dead persons.

On motion of Mr. Allen, the bill is laid on the Table.

H. B. 1190, A bill to be entitled An act to amend section 3189 of the Consolidated Statutes so as to eliminate the necessity of kissing the Bible when taking an oath.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1192, A bill to be entitled An act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1193, A bill to be entitled An act to provide for the professional education of qualified members of the Negro Race.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1194, A bill to be entitled An act to make safe the operation of swimming pools and bathing resorts in North Carolina.

On motion of Mr. Douglass, the bill is laid on the Table.

H. B. 1208, A bill to be entitled An act to amend section 5960 of the Consolidated Statutes relating to absentee voting.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1251, A bill to be entitled An act to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1201, A bill to be entitled An act to amend section 962 of the Consolidated Statutes, as amended by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1209, A bill to be entitled An act to protect fishing and hunting in North Carolina.

On motion of Mr. Vann the bill is laid on the Table.

H. B. 1216, A bill to be entitled An act to amend section 1443 of Volume III of the Consolidated Statutes, as amended by chapter 207, Public Laws 1927, and chapter 173, Public Laws 1929, relating to terms of court for Rutherford and Yancey counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1239, A bill to be entitled An act to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1306, A bill to be entitled An act to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes relating to public libraries.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

As amended, the bill fails to pass its second reading.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 931, An act to regulate charges made by the City of Asheville for water consumed in Buncombe County water districts.

H. B. 1250, An act to regulate the building of dams across creeks, bays, and river estuaries. (Applicable only to Carteret County.)

H. B. 1323, An act to regulate the sale of lubricating oil, benzine, naptha, gasoline and other products by wholesale in Mecklenburg County.

H. B. 1379, An act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.

On motion of Mr. McEachern, the House adjourns until 10:00 o'clock tomorrow.

# ONE HUNDREDTH DAY

House of Representatives, Saturday, April 29, 1933.

The Speaker being absent, the House is called to order by Principal Clerk Thad Eure, who calls Mr. Cherry, designated by Speaker Harris as Speaker Pro Tempore, to the Chair.

Prayer by Representative Ted R. Ray of Hendersonville, North Carolina. Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### ENGROSSED BILLS

Mr. Sullivan, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly Engrossed, and ask that they be sent to the Senate.

It is so ordered.

- H. B. 397, A bill to be entitled An act regulating the open season for game and providing for certain license fees in the County of Ashe.
- H. B. 597, A bill to be entitled An act to provide an open season for game birds and animals in Wilson County, and to regulate hunting and fishing in said County.

Second Committee Substitute for:

- H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.
- H. B. 1232, A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Oaks: H. B. 1462, A bill to be entitled An act relating to the sale of certificates of deposits in the Citizens Bank of Elk Park, Avery County. Placed on the Calendar.

By Mr. Hutchins: H. B. 1463, A bill to be entitled An act to fix the salary of the Register of Deeds of Yancey County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Moss and Watson: H. B. 1464, A bill to be entitled An act to amend senate Bill 180, the same being "A bill to be entitled An act to allow

the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

Referred to the Committee on Calendar.

And.

H. B. 1465, A bill to be entitled An act supplemental to House Bill 914, known as "The Machinery Act of 1933," ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the City of Rocky Mount.

Referred to the Committee on Calendar.

And.

H. B. 1466, A bill to be entitled An act to place Isaac Williams of Nash County, on the Pension\_Roll.

Referred to the Committee on Pensions.

By Mr. Wilson: H. B. 1467, A bill to be entitled An act relating to the duties of the Sheriff and County Accountant of Caswell County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1468, A bill to be entitled An act relating to the enforcement of the Prohibition Law in Caswell County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And

H. B. 1469, A bill to be entitled An act to repeal chapter 17 of the Public Laws of 1931 being An act to amend section 1608 (F) Volume III of the Consolidated Statutes, relating to the General County Court of Caswell County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Womble, Aycock of Wake and Douglass: H. B. 1470, A bill to be entitled An act to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritous fermenti or other intoxicants.

Referred to the Committee on Judiciary No. 1.

#### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 615, A bill to be entitled An act to amend Committee Substitute for S. B. 525, known as the Beverage Control Act of 1933.

Referred to the Committee on Calendar.

H. B. 874, A bill to be entitled An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1298, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1227, A bill to be entitled An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

Placed on the Calendar for concurrence in the Senate Amendments.

On motion of Mr. Massenburg, the House adjourns and will meet Monday night at 8 o'clock p.m.

## ONE HUNDRED FIRST DAY

House of Representatives, Monday Night, May 1, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. T. S. Clarkson of Smithfield, North Carolina.

Mr. Bender, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

The courtesies of the floor are extended to United States Senator Herbert of Rhode Island.

## ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1188, A bill to be entitled An act to amend section 2591 of the Consolidated Statutes relating to the reopening of judicial and other sales on advance bids.

H. B. 1208, A bill to be entitled An act to amend section 5960 of the Consolidated Statutes relating to absentee voting (applicable only to Graham, Jackson, Rutherford and Swain counties).

H. B. 1306, A bill to be entitled An act to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes relating to public libraries.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. R. 1471, Joint Resolution directing the Secretary of the State to send a copy of House Bill No. 15 to each of the Register of Deeds of the several counties of the State.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Sullivan: H. B. 1472, A bill to be entitled An act to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

Placed on the Calendar.

And.

H. B. 1473, A bill to be entitled An act to require the County Health Officer of Buncombe County to examine all employees in dairies without making any change therefor.

Placed on the Calendar.

By Mr. Wilson: H. B. 1474, A bill to be entitled An act supplemental to an Act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, ratified March 13, 1933, to correct typographical errors.

Referred to the Committee on Finance.

By Mr. Murphy: H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County.

Placed on the Calendar.

By Mr. Taylor of Mecklenburg: H. B. 1476, A bill to be entitled An act to amend House Bill 222, ratified February 15, 1933, entitled An act to amend section 6442 of the Consolidated Statutes of 1919, and to require Casualty and Surety Insurance Companies to make deposits.

Placed on the Calendar.

By Messrs. Wilson and Womble: H. B. 1477, A bill to be entitled An act to amend sections 8037 and 8037 (a½) of the Consolidated Statutes of North Carolina, relating to the foreclosure of tax sales certificates.

Referred to the Committee on Finance.

By Messrs. Brawley and Everett: H. B. 1478, A bill to be entitled An act to amend chapter 110, Article 6 of the Consolidated Statutes, relating to chiropractic.

Referred to the Committee on Judiciary No. 1.

By Mr. Moss: H. B. 1479, A bill to be entitled An act to enable the City of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.

Referred to the Committee on Calendar.

## SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 522, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Wilson County.

Referred to the Committee on Agriculure.

S. B. 612, A bill to be entitled An act to create the office of tax collector for Montgomery County and to fix the salary of the Sheriff of said County.

Referred to the Committee on Calendar.

S. B. 616, A bill to be entitled An act to amend chapter 367, Private Laws of 1911, relating to the incorporation of the Town of Arthur in Pitt County. Referred to the Committee on Calendar.

S. B. 617, A bill to be entitled An act to permit A. G. Sharpe of Ashe County to take the examination given by the State Board of Dental Examiners.

Referred to the Committee on Health.

H. B. 1370, A bill to be entitled An act to empower the governing body of the Town of Weaverville, Buncombe County, to relieve churches of paving assessments (applicable also to the municipalities of Clyde, Canton, and Hazelwood, in Haywood County).

For concurrence in Senate Amendment.

On motion of Mr. Sullivan, the House Concurs in Senate Amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGE

SENATE CHAMBER, May 1, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has declined to concur in the House Amendment to S. B. 493, title, "For the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County," and asks for a conference thereon. The President has appointed as Conferees on the part of the Senate, Senators Joyner and Summersill.

# Respectfully,

LEROY MARTIN, Clerk of Senate.

Pursuant to above mesage, the Speaker appoints as Conferees on the part of the House, Messrs. White, Young and Neal, and the Senate is so notified.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Substitute for:

H. B. 913, A bill to be entitled An act requiring the State Highway Commission to include certain county public roads in Transylvania County in its State maintained list and to maintain same.

An amendment offered by Mr. Cherry is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the Table.

H. B. 756, A bill to be entitled An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

On motion of Mr. Randolph, the bill is taken from the Unfavorable Calendar, and placed on the Calendar.

H. B. 1384, A bill to be entitled An act to restore to the County Commissioners of Madison County the powers and duties set forth in chapter 24 of the Consolidated Statutes.

A minority report having been filed, the question now recurs upon the adoption of said report.

The minority report fails of adoption, the bill thereby going on the Unfavorable Calendar.

H. B. 1462, A bill to be entitled An act relating to the sale of certificates of deposits in the Citizens Bank of Elk Park, Avery County.

On motion of Mr. Etheridge, the bill is recommitted to the Committee on Banks and Banking.

H. B. 1218, A bill to be entitled An act to create the Daniel Boone National Forest Park and to provide for cooperation by the State of North Carolina with the Federal Government in the reforestation of the Tennessee River Basin in Western North Carolina.

A Committee amendment is adopted.

As amended, the bill fails to pass its second reading.

S. B. 470, A bill to be entitled An act to amend the Primary Law for Mitchell County, regarding second primaries.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1227, A bill to be entitled An act to appoint certain members of the Boards of Education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

For concurrence in the Senate Amendments.

On motion of Mr. Graham, the House fails to concur in the Senate Amendments, and asks for a conference.

The Speaker appoints as Conferees on the part of the House, Messrs. McEachern, Moore and English, and the Senate is so notified.

H. B. 1241, A bill to be entitled An act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Substitute for:

H. B. 1403, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, to exempt from its provisions Alamance County and the municipalities therein.

Passes its third reading by the following vote, and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Crews, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Everett, Falkner, Flanagan, Galloway, Garibaldi, Gilliam, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lee, Lumpkin, Massenburg, Moore, Morphew, Moss, Murphy, McEachern, Neal, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Sigmon, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Iredell, Warlick, Watson, Williams, Wilson and Young—67.

Those voting in the negative are: Messrs. Randolph and Womble-2.

The original bill is laid on the Table.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 361, An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this Act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina.

S. B. 391, An act to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes as amended.

S. B. 392, An act to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges.

S. B. 572, An act fixing the fees of jurors in Clay and Macon counties.

S. B. 587, An act to repeal Senate Bill 149, ratified February 28, 1933, entitled, "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

S. B. 593, An act to amend the Charter of the Town of Morganton providing for payment of taxes in partial or installment payments.

S. B. 597, An act to amend House Bill No. 1338, ratified April 21, 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates."

S. B. 598, An act to amend House Bill No. 1114, ratified on March 31, 1933, entitled "An act authorizing the City of Gastonia to issue tax anticipation certificates."

H. B. 538, An act to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina and fixing additional requirements governing manufactures, manipulators, jobbers and dealers; and further provide a penalty for the punishment of violations of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer, and for other purposes.

H. B. 945, An act providing for certain special tax in Jackson County. (Applicable also to the Counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell.)

H. B. 1150, An act to regulate piloting by persons not holding proper license.

H. B. 1277, An act to amend Senate Bill No. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

H. B. 1281, An act to regulate the sale of milk bottles and containers in Pitt County.

H. B. 1296, An act to postpone tax sales in Yancey County.

H. B. 1334, An act relating to remission of penalties in 1932 taxes in Pitt County.

H. B. 1392, An act to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein.

H. R. 1461, Joint Resolution to have printed 10,000 copies of Senate Bill No. 525, it being "An act to provide for and regulate the manufacture, transportation, and sale of certain beverages."

On motion of Mr. Cherry, the House adjourns until 11 o'clock tomorrow.

# ONE HUNDRED SECOND DAY

House of Representatives, Tuesday, May 2, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Rev. R. W. Bradshaw of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

And,

H. B. 1454, A bill to be entitled An act to encourage the enforcement of the Turlington Act in Franklin County.

With favorable reports.

By Mr. Moss, for the Committee on Calendar:

H. B. 1465, A bill to be entitled An act supplemental to H. B. 914, known as the "Machinery Act of 1933," ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the City of Rocky Mount.

And.

H. B. 1459, A bill to be entitled An act to amend S. B. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

And.

H. B. 1464, A bill to be entitled An act to amend S. B. 180, the same being "A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

And.

H. B. 1479, A bill to be entitled An act to enable the City of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.

And,

H. B. 1457, A bill to be entitled An act to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said County.

And,

S. B. 608, A bill to be entitled An act to authorize and empower the City of Wilmington to donate water to the Young Men's Christian Association of said City.

And,

- S. B. 612, A bill to be entitled An act to create the office of tax collector for Montgomery County and to fix the salary of the Sheriff of said County. And,
- S. B. 615, A bill to be entitled An act to amend Committee substitute for S. B. 525, known as the "Beverage Control Act of 1933."

And.

S. B. 616, A bill to be entitled An act to amend chapter 367, Private Laws of 1911, relating to the incorporation of the Town of Arthur in Pitt County. With favorable reports.

And,

H. B. 1460, A bill to be entitled An act to authorize the Board of Commissioners of Wake County to issue bonds to fund a valid and outstanding indebtedness of the School Committee of Raleigh Township.

The Committee on Calendar recommends that the bill be recommitted to the Committee on Finance.

It is so ordered.

By Mr. Doughton, for the Committee on Finance.

H. B. 133, A bill to be entitled An act to permit partial payments on delinquent taxes and to arrest the running of the Statute of Limitations upon such partial payments.

And.

H. B. 194, A bill to be entitled An act to amend the Machinery Act with reference to penalty for failure to list intangible personal property.

And.

H. B. 18, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in North Carolina.

And

- H. B. 82, A bill to be entitled An act to amend chapter 260, Public Laws, 1931, the same being an amendment to section 8037, Consolidated Statutes, relating to the time of bringing foreclosure actions on tax sales certificates. And.
- H. B. 404, A bill to be entitled An act repealing certain sections of the Consolidated Statutes relating to exemptions of foreign stocks and to hereafter impose taxes upon investments in foreign and domestic stocks upon the same basis.

And.

H. B. 56, A bill to be entitled An act to repeal subsection (g) of section 215, chapter 427, Public Laws, 1931, relating to exemption from taxation of stocks in foreign corporations.

And,

H. B. 1423, A bill to be entitled An act to exempt municipalities and counties from the payment of the tax on gasoline.

And

H. B. 206, A bill to be entitled An act to protect delinquent taxpayers from loss of property during the present emergency, and to assist counties, cities and towns to collect delinquent taxes.

With unfavorable reports.

And.

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

And.

H. B. 1474, A bill to be entitled An act supplemental to An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, ratified March 13, 1933, to correct typographical errors.

And,

H. B. 1434, A bill to be entitled An act to amend chapter 261 of the Public Laws, 1931, giving the Advisory Budget Commission authority to make rules and regulations covering the operation of the Division of Purchase and Contract.

And.

H. B. 1414, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Brevard to relieve the churches of said Town of all paying or other assessments charged against them.

With favorable reports.

And

S. B. 119, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

With a favorable report, as amended.

### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

Substitute for:

H. B. 913, A bill to be entitled An act requiring the State Highway Commission to include certain county public roads in Transylvania County in its State-maintained list, and to maintain same.

H. B. 1241, A bill to be entitled An act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

# HOUSE RESOLUTION

A House Resolution offered by Messrs. Murphy and Sullivan, requiring the Commissioner of Banks to furnish the names of attorneys and accountants employed by the Banking Department during the past two years, is adopted.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Murphy: H. B. 1480, A bill to be entitled An act supplemental to S. B. 525, and fixing the period for which license by counties and municipalities to sell beer shall expire.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Randolph: H. B. 1481, A bill to be entitled An act supplemental to and amendatory of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

Referred to the Committee on Calendar.

By Mr. Oaks: H. B. 1482, A bill to be entitled An act to postpone tax sales in Avery County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Dr. Douglass: H. B. 1483, A bill to be entitled An act to provide for a new registration of the voters of the City of Raleigh before the next municipal election.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. McLauchlin: H. B. 1484, A bill to be entitled An act regulating the costs in the Criminal Court for the County of Scotland.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Massenburg: H. B. 1485, A bill to be entitled An act to rearrange and establish the term of office of the members of the Board of Commissioners of Polk County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1487, A bill to be entitled An act to include Polk County in certain agricultural tenancy laws.

Placed on the Calendar.

By Messrs. Edwards and Flanagan: H. B. 1486, A bill to be entitled An act to allow the Commissioners of the Town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Etheridge: H. B. 1488, A bill to be entitled An act to consolidate the Townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the County Board of Commissioners and one member of the County Board of Education from such consolidated townships.

Placed on the Calendar.

By Mr. Sullivan: H. B. 1489, A bill to be entitled An act to clarify acts of the General Assembly of 1933, containing reference to and amendments of the North Carolina Code.

Referred to the Committee on Judiciary No. 2.

And,

H. B. 1490, A bill to be entitled An act to require persons selling used plumbing materials or electrical fixtures to report the same to the Chief of Police of the City of Asheville.

Placed on the Calendar.

By Mr. Brown: H. B. 1491, A bill to be entitled An act to prohibit the setting of steel traps in Perquimans County for a period of two years.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Lumpkin: H. B. 1492, A bill to be entitled An act to provide for a minimum of thirty-three and one-third per cent horizontal reduction of the present assessed valuation of real property in Franklin County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Grady: H. B. 1493, A bill to be entitled An act to amend Article 3, section 2365 of the Consolidated Statutes, relative to removal of tenants in certain cases.

Placed on the Calendar.

By Mr. Thompson of Beaufort: H. B. 1494, A bill to be entitled An act to regulate the operation of bathing beaches or resorts in sections of Beaufort County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Murphy: H. B. 1495, A bill to be entitled An act to amend chapter 231 of the Private Laws of North Carolina, Session of 1927, relating to the office of City Manager of the City of Salisbury.

Placed on the Calendar.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1360, A bill to be entitled An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said City.

For concurrence in the Senate Amendment.

On motion of Mr. Olive, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1362, A bill to be entitled An act to amend section 1443, of the Consolidated Statutes, relative to the courts of Hoke County.

For concurrence in the Senate Amendment.

On motion of Mr. McEachern, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 609, A bill to be entitled An act to provide for the redemption of property sold for taxes in Mitchell and Madison counties.

Referred to the Committee on Calendar.

S. B. 619, A bill to be entitled An act to authorize the Board of Commissioners for the County of Forsyth to convey to the City of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property, and to provide for the improvement of the same and the assessment of benefits resulting therefrom.

Referred to the Committee on Calendar.

S. B. 622, A bill to be entitled An act to appoint a boxing commission for the County of Cabarrus.

Referred to the Committee on Calendar.

S. B. 623, A bill to be entitled An act to allow Haywood and Jackson counties to come under the provisions of H. B. 1308 of 1933 Session of the General Assembly of North Carolina, relating to court procedure in Cherokee, Clay and Macon counties.

On motion of Mr. Tompkins, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

# SPECIAL MESSAGES

SENATE CHAMBER, May 2, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate: Senators MacLean and Hinsdale to act as conferees with your appointees to consider the difference arising on H. B. 1227, title "To appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office and limit compensation at State expense," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of Senate. Mr. Speaker:

SENATE CHAMBER, May 2, 1933.

It is ordered that a message be sent to the House of Representatives requesting the return of S. B. 617, title "To permit A. G. Sharpe of Ashe County to take the examination given by the State Board of Dental Examiners," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of Senate.

On motion of Dr. Douglass, the bill is ordered returned to the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 874, A bill to be entitled An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

For concurrence in the Senate Amendment.

On motion of Mr. Culpepper, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 756, A bill to be entitled An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1473, A bill to be entitled An act to require the County Health Officer of Buncombe County to examine all employees in dairies without making any change therefor.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1242, A bill to be entitled An act relating to peddlers of fruits in the Town of Lincolnton, Lincoln County.

On motion of Mr. Sigmon, the bill is laid on the Table.

Committee Substitute for:

H. B. 1135, A bill to be entitled An act to amend chapter 99, Public Laws, 1931, relative to contracts for auditing and accounting to be awarded to the lowest bidder.

On motion of Mr. English, the original bill and substitute are laid on the Table.

H. B. 1204, A bill to be entitled An act to amend Article 12, chapter 110 of the Consolidated Statutes of North Carolina, as amended, so as to regulate the business of funeral directors in the State of North Carolina.

The bill fails to pass its second reading.

H. B. 1291, A bill to be entitled An act to consolidate under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the Motor Vehicle Laws.

An amendment offered by Mr. Morphew is adopted.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1304, A bill to be entitled An act regulating and providing for election of Trustees of the University of North Carolina, and to amend section 5789 of Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws, 1931.

On motion of Mr. Thompson of Beaufort, the bill is made a Special Order for Thursday, May 4.

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

On motion of Mr. Cherry, the vote by which the bill failed to pass its second reading is reconsidered and the bill is placed on the Calendar for its immediate consideration.

The bill, as amended, passes its second and third readings, and is ordered Engrossed and sent to the Senate.

Committee Substitute for:

H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

The Committee substitute is adopted.

Passes its second reading, and remains on the Calendar.

H. B. 1326, A bill to be entitled An act relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1341, A bill to be entitled An act to place names of certain Confederate Soldiers and widows of Confederate Soldiers on Pension List.

The bill, as amended, passes its second and third readings, and is ordered Engrossed and sent to the Senate.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 470, An act to amend the Primary Law for Mitchell County.

H. B. 1195, An act supplemental to House Bill 1033, the same being "A bill to be entitled An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the 3d day of April, 1933.

H. B. 1231, An act to allow fishing in the streams of Yadkin County with trot lines, baskets and seines.

H. B. 1233, An act to regulate the grand jury of Mecklenburg County.

- H. B. 1299, An act to amend section 6054 of Volume III of the Consolidated Statutes exempting Avery County from the Primary Law for candidates for County offices.
- H. B. 1300, An act to amend House Bill No. 1217, entitled "An act to amend the Fishing Laws as to Cherokee County," ratified April 10, 1933.
- H. B. 1313, An act to protect vendors of personal property upon installment payment plan. (Applies to Wake County only.)
- H. B. 1314, An act to authorize the issuance of scrip by Currituck County.
- H. B. 1327, An act to allow the Commissioners of the Town of Henderson-ville to accept bonds and/or notes in payment of certain taxes.
- H. B. 1332, An act to allow fishing in the streams of Alexander, Davie and Wilkes counties with trot lines or baskets.
- H. B. 1342, An act to provide for the nomination of the officers of the Town of Benson, Johnston County, by a primary instead of by a convention.
- H. B. 1369, An act to authorize and empower the Board of Commissioners of the Town of Morehead City to extend the time for the payment of special assessments for local improvements.
- H. B. 1370, An act to empower the Governing Body of the Town of Weaverville, Buncombe County, to relieve churches of paving assessments. (Applicable also to the municipalities of Clyde, Canton and Hazelwood in Haywood County.)
- H. B. 1373, An act to provide for the expenses of revaluation of property in Yancey County.
- H. B. 1376, An act to amend chapter 26, Private Laws 1929, relating to the auditing of the books of the Town of Vanceboro, Craven County, North Carolina.
- H. B. 1377, An act to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County.
- H. B. 1393, An act to regulate license or franchise taxes on building and loan associations in Mecklenburg County.
- H. B. 1396, An act to provide for a more efficient auditing of the books and accounts of the officers of Columbus County.
- H. B. 1402, An act to amend Senate Bill No. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, relating to Hertford County.
- H. B. 1412, An act authorizing the Commissioners of the Town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.
- H. B. 1436, An act relating to disposition and use of back taxes collected in Carver's Creek Township Special School Tax District, Bladen County.
- H. B. 1440, An act to amend chapter 196, Private Laws of the State of North Carolina, 1929, being An act to amend the act incorporating the City of Thomasville, North Carolina.
- H. B. 1442, An act to create a game commission for Burke County and to regulate fishing in certain waters of said County.
- H. B. 1446, An act to repeal chapter 88, Public-Local Laws, 1929, relating to pool and billiard rooms in Caldwell County.
- H. B. 1451, An act to amend House Bill 565, same being "A bill to be entitled An act to amend chapter 520, of the Public-Local Laws of 1915, being

An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court," ratified March 16, 1933.

On motion of Mr. Doughton, the House takes a recess until eight o'clock tonight.

# NIGHT SESSION

House of Representatives, Tuesday Night, May 2, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Doughton: H. R. 1496, Joint Resolution to provide for payment of cost of printing Committee Substitute for House Bill No. 120, "A bill to be entitled An act to raise revenue."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

For concurrence in the Senate Amendment.

On motion of Mr. Doughton, the House concurs in the Senate Amendment, and the bill as amended, passes its first reading and remains on the Calendar for its second reading Roll Call, the Senate Amendment being a material one.

S. B. 595, A bill to be entitled An act to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

Referred to the Committee on Calendar.

S. B. 605, A bill to be entitled An act prescribing the manner of advertisement and sale of school property.

Referred to the Committee on Calendar.

H. B. 920, A bill to be entitled An act to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 546, A bill to be entitled An act relating to appeals from levies and assessments for taxation of unlisted property.

On motion of Mr. Cherry, the bill is placed on the Calendar.

S. B. 580, A bill to be entitled An act to amend chapter 83, Public Laws 1931, relating to the release of land upon payment of tax on each particular piece and to provide for subrogation and contribution of those paying taxes on lands of others.

Referred to the Committee on Calendar.

S. B. 582, A bill to be entitled An act to permit the deposit of moneys of the State, county, city, town, or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository or security.

Referred to the Committee on Banks and Banking.

S. B. 594, A bill to be entitled An act to clarify and/or amend the Appropriations Act of 1933, H. B. 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

Referred to the Committee on Appropriations.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1414, A bill to be entitled An act authorizing the Board of Aldermen of the Town of Brevard to relieve the churches of said town of all paving or other assessments charged against them.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1425, A bill to be entitled An act to repeal House Bill 1102, the same being An act to regulate the sale of milk bottles and containers in Mecklenburg County, ratified April 19, 1933

On motion of Mr. Garibaldi, the bill is taken from the Table and placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1464, A bill to be entitled An act to amend Senate Bill 180, the same being a bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates, ratified on the 27th day of March, 1933, relative to Nash County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1465, A bill to be entitled An act supplemental to House Bill 914, known as the Machinery Act of 1933, ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the City of Rocky Mount.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1472, A bill to be entitled An act to amend chapter 103, Public Laws of 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1298, A bill to be entitled An act to amend Senate Bill 180, Public Laws of 1933, entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates, ratified the 27th day of March, 1933.

For concurrence in the Senate Amendment.

On motion of Mr. Gardner, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1457, A bill to be entitled An act to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1454, A bill to be entitled An act to encourage the enforcement of the Turlington Act in Franklin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1479, A bill to be entitled An act to enable the City of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1487, A bill to be entitled An act to include Polk County in certain agricultural tenancy laws.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1488, A bill to be entitled An act to consolidate the townships of Hatteras and Kennekeet in Dare County, and to provide for the election of one member of the County Board of Commissioners and one member of the County Board of Education from such consolidated townships.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1490, A bill to be entitled An act to require persons selling used plumbing material or electrical fixtures to report the same to the Chief of Police of the City of Asheville.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1495, A bill to be entitled An act to amend chapter 231, Private Laws of North Carolina, Session of 1927, relating to the office of City Manager of the City of Salisbury.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 608, A bill to be entitled An act to authorize and empower the City of Wilmington to donate water to the Young Men's Christian Association of said City.

Passes its second and third readings and is ordered Enrolled.

S. B. 612, A bill to be entitled An act to create the office of Tax Collector for Montgomery County, and to fix the salary of the Sheriff of the said County.

Passes its second and third readings and is ordered Enrolled.

S. B. 616, A bill to be entitled An act to amend chapter 367, Private Laws of 1911, relating to the incorporation of the Town of Arthur, in Pitt County.

Passes its second and third readings and is ordered Enrolled.

H. B. 1361, A bill to be entitled An act to amend the Banking Law so as to give public funds priority of payment in the liquidation of banks.

On motion of Mr. Watson, the bill is laid on the Table.

H. B. 1174, A bill to be entitled An act to repeal section 3792 of the Consolidated Statutes, relative to the operation of road steamers upon the public highways, and to make new provisions therefor.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1397, A bill to be entitled An act to amend section 1970 of the Consolidated Statutes of North Carolina relating to Sunday fishing.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1400, A bill to be entitled An act to permit old documents to be recorded where official seal of officer has not been affixed.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1416, A bill to be entitled An act to control the sale of beer.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1476, A bill to be entitled An act to amend H. B. 222, ratified February 15, 1933, entitled "An act to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety insurance companies to make deposits.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 169, A bill to be entitled An act for the relief of H. E. Roberts.

On motion of Mr. James, the bill is laid on the Table.

S. B. 268, A bill to be entitled An act to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions.

Passes its second and third readings and is ordered Enrolled.

S. B. 291, A bill to be entitled An act to amend chapter 333, Public Laws of 1929, relating to nonresident fur dealers license.

Passes its second and third readings and is ordered Enrolled,

S. B. 276, A bill to be entitled An act to amend section 2015 of the Consolidated Statutes of North Carolina relating to fishing in Roanoke River.

Passes its second and third readings, and is ordered Enrolled.

S. B. 294, A bill to be entitled An act to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

Passes its second and third readings, and is ordered Enrolled.

S. B. 318, A bill to be entitled An act to improve the sanitary conditions of the manufacture of bedding.

Passes its second and third readings, and is ordered Enrolled.

S. B. 340, A bill to be entitled An act to amend section 2650 of the Consolidated Statutes of North Carolina, and to provide that municipal elections shall be held on Tuesday after the first Monday in June.

On motion of Mr. Johnson of Chatham, the bill is laid on the Table.

S. B. 354, A bill to be entitled An act to amend chapter 87, Public Laws 1921, relating to coöperative organizations permitting subsidiary organizations and permitting a limited dealing with products of non-members.

Passes its second and third readings, and is ordered Enrolled.

S. B. 372, A bill to be entitled An act to amend section 2471 of the Consolidated Statutes relative to the order of payment of liens of material men and laborers.

On motion of Mr. Barden, the bill is laid on the Table.

S. B. 457, A bill to be entitled An act to prevent the misbranding of milk or cream.

Passes its second and third readings, and is ordered Enrolled.

S. B. 460, A bill to be entitled An act to amend chapter 122, Public Laws 1927, Article 3, section 15, subsection F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.

Passes its second and third readings, and is ordered Enrolled.

House Committee Substitute for:

S. B. 463, A bill to be entitled An act to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violations.

House Committee Substitute adopted, and remains on the Calendar for its several readings.

S. R. 461, Joint Resolution providing for the acceptance of a Memorial to Governor Burke and to provide for the transportation and erection of the same.

Passes its second and third readings, and is ordered Enrolled.

S. B. 376, A bill to be entitled An act to amend chapter 325, Public Laws 1929, relating to certification of pure bred crop seeds in North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 404, A bill to be entitled An act to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital, at Raleigh, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 410, A bill to be entitled An act to amend section 1 of chapter 265 of the Public Laws of 1929 and section 6185 of Consolidated Statutes in order to make provision for the care of the negro feebleminded.

Passes its second and third readings, and is ordered Enrolled.

S. B. 412, A bill to be entitled An act to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends of corporations, and for other purposes.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 490, A bill to be entitled An act to create a building code council for North Carolina.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 513, A bill to be entitled An act to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the Library of the University of North Carolina.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. R. 467, A Joint Resolution of the Senate and House of Representatives of North Carolina providing for funding of the deficit now outstanding in North Carolina.

Passes its second and third readings and is ordered Enrolled.

S. B. 482, A bill to be entitled An act to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.

Passes second and third readings and ordered Enrolled.

S. B. 507, A bill to be entitled An act to amend section 1908 Consolidated Statutes of North Carolina pertaining to leasing of oyster and clam bottoms. Passes its second and third readings, and is ordered Enrolled.

S. B. 516, A bill to be entitled An act supplemental to and amendatory of H. B. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

Passes its second and third readings, and is ordered Enrolled.

S. B. 520, A bill to be entitled An act to amend S. B. 10, same being An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, ratified the 3d day of April.

Passes its second and third readings, and is ordered Enrolled.

S. B. 527, A bill to be entitled An act to amend section 867 of the Consolidated Statutes of 1919 relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

Passes its second and third readings, and is ordered Enrolled.

S. R. 557, Joint Resolution concerning Honorable J. R. Baggett.

Passes its second and third readings, and is ordered Enrolled.

On motion of Mr. Crews, S. B. 619, A bill to be entitled An act to authorize the Board of Commissioners for the County of Forsyth to convey to the City of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom, is taken from the Calendar Committee and placed on the Calendar.

On motion of Mr. Tompkins H. B. 1331, A bill to be entitled An act to prescribe for and treat that poisoning or sickness known as "milk sickness," and to charge a reasonable fee therefor is taken from the Committee on Health and recommitted to the Calendar Committee.

On motion of Mr. Randolph, the House adjourns and will meet tomorrow at 11 o'clock, a.m.

# ONE HUNDRED THIRD DAY

House of Representatives, Wednesday, May 3, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Rev. Theodore Partrick of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. McEachern, for the Committee on Agriculture:

S. B. 522, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Wilson County.

And.

H. B. 1424, A bill to be entitled An act to provide for certification of fertilizer laboratories.

With favorable reports.

By Mr. Makepeace, for the Committee on Game:

H. B. 721, A bill to be entitled An act to prohibit the sale of black bass.

And.

H. B. 720, A bill to be entitled An act to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, Session 1929.

With favorable reports.

By Mr. Johnson of Pender, for the Committee on Insurance:

H. B. 1415, A bill to be entitled An act to amend chapter 78 of the Consolidated Statutes of North Carolina so as to authorize the investment of trust funds in building and loan associations.

With an unfavorable report as to bill, favorable as to Committee substitute.

By Mr. Olive, for the Committee on Finance:

H. B. 1460, A bill to be entitled An act to authorize the Board of Commissioners of Wake County to issue bonds to fund a valid and outstanding indebtedness of the School Committee of Raleigh Township.

With a favorable report.

By Mr. Doughton, for the Committee on Finance:

H. B. 16, A bill to be entitled An act to amend section 2 of chapter 260 of the Public Laws of 1931, being an amendment to section 8037 of the Consolidated Statutes, relating to penalties on delinquent taxes.

And.

H. B. 86, A bill to be entitled An act to allow five years in which to pay back taxes in Bertie County.

And.

H. B. 307, A bill to be entitled An act to validate the action of the County Commissioners in postponing sale of land for taxes for the years 1930 and 1931.

And.

H. B. 256, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in all Counties in North Carolina, and to permit the taxpayer to redeem all land sold for taxes for said years which was bid in by the county and to provide for an extension of time for the payment of said delinquent taxes.

And,

H. B. 282, A bill to be entitled An act to amend chapter 213, Public Laws 1927, to extend the time of sale of land for taxes from the first Monday in June to the first Monday in July.

And.

H. B. 20, A bill to be entitled An act to amend section 5, chapter 260, Public Laws 1931, relating to actions for the foreclosure of tax sale certificates.

H. B. 295, A bill to be entitled An act to validate certain tax sales in Craven County.

And.

H. B. 22, A bill to be entitled An act amending chapter 221, Public Laws 1927, and chapter 204, Public Laws of 1929, chapter 260, Public Laws of 1931, and for other purposes.

And,

H. B. 359, A bill to be entitled An act to authorize and empower the governing authorities of counties, cities, or other subdivisions of government to permit amortization of delinquent taxes.

And,

H. B. 506, A bill to be entitled An act authorizing the Board of Commissioners of Bladen County to compromise interest rate on delinquent taxes and to allow redemption of land sold for taxes in certain cases.

And,

H. B. 257, A bill to be entitled An act ratifying the postponement of the sale of land for taxes by the Board of Commissioners of the County of Ashe until June 1, 1933.

And,

H. B. 273, A bill to be entitled An act to repeal chapter 260 of the Public Laws of North Carolina, Session of 1931, and to simplify the procedure of tax foreclosures.

And,

H. B. 453, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in Robeson County, State of North Carolina, and to permit the taxpayers to redeem all land sold for taxes for said years which was bid in by the County and to provide for an extension of time for the payment of said delinquent taxes.

And.

H. B. 460, A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Macon County.

And,

H. B. 474, A bill to be entitled An act to abolish and cancel cost and penalties or other charges incurred or charged against delinquent tax-payers of Johnston County, North Carolina, and to permit the tax-payers to redeem all land sold for taxes which was bid in by the County and to provide for an extension of time for payment thereof.

And,

H. B. 145, A bill to be entitled An act to amend section 8012 of the Consolidated Statutes of North Carolina changing the time of sale of land for taxes in Wilkes County from the first Monday in May to the first Monday in October.

And,

H. B. 104, A bill to be entitled An act to reduce tax penalties on uncollected taxes in Cumberland County.

And.

H. B. 382, A bill to be entitled An act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

And.

H. B. 394, A bill to be entitled An act to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in Columbus County, State of North Carolina, and to permit the taxpayers to redeem all land sold for taxes for said years which was bid in by the County and to provide for an extension of time for the payment of said delinquent taxes.

And.

H. B. 67, A bill to be entitled An act to provide for combined notices of sales in tax foreclosure actions.

With unfavorable reports.

By Mr. Sullivan, for the Committee on Judiciary No. 2:

H. B. 1489, A bill to be entitled An act to clarify Acts of the General Assembly of 1933 containing references to, and amendments of the North Carolina Code.

With a favorable report.

By Mr. Moss, for the Committee on Calendar:

H. B. 1432, A bill to be entitled An act to clarify House Bill 154 and House Bill 285, relative to street assessments in Elkin, North Carolina.

And,

S. B. 601, A bill to be entitled An act to amend the Machinery Act of 1933, relating to assessment of property in Bladen County.

With unfavorable reports.

And

H. B. 1331, A bill to be entitled An act to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "Milk Sickness," and to charge a reasonable fee therefor.

Bill reported without prejudice.

And.

S. B. 609, A bill to be entitled An act to provide for the redemption of property sold for taxes in Mitchell and Madison counties.

And,

S. B. 605, A bill to be entitled An act prescribing the manner of advertisement and sale of school property.

And.

S. B. 622, A bill to be entitled An act to appoint a boxing commission for the County of Cabarrus.

And,

H. B. 1458, A bill to be entitled An act relating to a moratorium on foreclosures of mortgages and deeds of trust.

And.

H. B. 1448, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

With favorable reports,

And,

S. B. 595, A bill to be entitled An act to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

With a favorable report, as amended.

### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1291, A bill to be entitled An act to consolidated under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the Motor Vehicle Laws.

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

H. B. 1341, A fill to be entitled An act to place the names of certain Confederate Soldiers and widows of Confederate Soldiers on the Pension List

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

H. B. 1400, A bill to be entitled An act to permit old documents to be recorded where official seal of officer has not been affixed.

H. B. 1472, A bill to be entitled An act to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

H. B. 1473, A bill to be entitled An act to require the County Health officer of Buncombe County to examine all employees in dairies without making any charge therefor. (Applicable also to Henderson County.)

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander, Ashe, Avery, Beaufort, Bladen, Buncombe, Camden, Caldwell, Carteret, Caswell, Chatham, Columbus, Craven, Currituck, Dare, Duplin, Durham, Greene, Harnett, Haywood, Hoke, Jackson, Jones, Lenoir, Lincoln, Macon, Madison, McDowell, Onslow, Pamlico, Pasquotank, Perquimans, Person, Pitt, Robeson, Scotland, Stanly, Surry,

Swain, Transylvania, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilkes counties.)

It appearing that this is a Roll Call bill, the bill passes its first reading and remains on the Calendar for its second reading Roll Call.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Barden: H. B. 1497, A bill to be entitled An act to amend Article IV, section 400 of House Bill No. 914, entitled "An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money."

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Gilliam, by request: H. B. 1498, A bill to be entitled An act to prohibit the sale of light wines and beer within one and one-half miles of Cane Creek Church and Sylvan High School in Southern Alamance County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Young: H. B. 1499, A bill to be entitled An act to amend section 2, chapter 27, Private Laws of 1919, relating to fees of cotton weigher for the Town of Dunn, Harnett County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Wilson and Womble: H. B. 1500, A bill to be entitled An act to amend chapter 260 of the Public Laws of North Carolina, Session of 1931, and chapter 204 of the Public Laws of North Carolina, Session of 1929, relating to tax sales.

Referred to the Committee on Finance.

By Mr. Cover: H. B. 1501, A bill to be entitled An act to provide for the reduction of indebtedness in Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Thompson of Robeson and Howell: H. B. 1502, A bill to be entitled An act to amend Senate Bill No. 525, relating to application for license to sell beer.

Placed on the Calendar.

By Mr. Hamilton: H. B. 1503, A bill to be entitled An act to validate the municipal election of Morehead City held May 2, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Arndt: H. B. 1504, A bill to be entitled An act to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasants and quail in said County.

Placed on the Calendar.

By Mr. Scarborough: H. B. 1505, A bill to be entitled An act to regulate the issuance of criminal processes out of the Justice of the Peace Courts for Richmond County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Neal: H. B. 1506, A bill to be entitled An act creating an agricultural and breeders' association for the County of McDowell on approval by the voters of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Taylor of Halifax: H. B. 1507, A bill to be entitled An act to allow the citizens of Brinkleyville Township, Halifax County, to fish with seins in said Township any time during the year.

Placed on the Calendar.

By Mr. Turner of Guilford: H. B. 1508, A bill to be entitled An act defining and restricting the territorial limits of street improvement assessment liens and providing for segregation of street assessments in the City of High Point.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Crews: H. B. 1509, A bill to be entitled An act to regulate peddling in the City of Winston-Salem.

Placed on the Calendar.

By Mr. Culpepper: H. B. 1510, A bill to be entitled An act for the relief of John T. Williams.

Referred to the Committee on Calendar.

By Mr. Thompson of Beaufort: H. B. 1511, A bill to be entitled An act to validate a municipal election to be held for the Town of Pantego, Beaufort County, on Tuesday, May 9, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Everett: H. R. 1512, Joint Resolution appointing Mrs. Robert Cabell a member of the Bennett Place Memorial Commission to succeed her mother, the late Mrs. Sallie Tate Morgan.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Everett: H. R. 1513, Joint Resolution appointing S. M. Gattis and Archibald Henderson members of the Durham-Orange Historical Society.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Flanagan: H. B. 1514, A bill to be entitled An act to provide for the appointment of a court stenographer for Pitt County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Woodfin: H. B. 1515, A bill to be entitled An act relating to license fees for motor vehicles for the balance of the year 1933.

Referred to the Committee on Finance.

By Mr. Ruark: H. B. 1516, A bill to be entitled An act to validate settlement between Board of Commissioners of Brunswick County and Board of Education.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Martin, Sullivan and Sprinkle: H. B. 1517, A bill to be entitled An act to permit the sale of beverages within the corporate limits of Montreat, Mars Hill and the association grounds of the Baptist Assembly at Ridge Crest, in Buncombe County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cameron: H. B. 1518, A bill to be entitled An act to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the Public Health Law so as to make further provisions for the creation and maintenance of sanitary districts and policing the same.

Referred to the Committee on Judiciary No. 1.

By Mr. Eagles: H. B. 1519, A bill to be entitled An act to amend H. B. 1022, ratified March 27, 1933, entitled "An act to regulate the duties of Sheriff of Edgecombe County and establish the office of tax collector of Edgecombe County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

## SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 120, A bill to be entitled An act to raise revenue.

For concurrence in the Senate Amendments.

On motion of Mr. Doughton, the House fails to concur in the Senate Amendments and a conference of five on the part of the House is asked for. The Speaker appoints as Conferees on the part of the House, Messrs. Doughton, Moss, Ewing, Cherry and Thomas, and the Senate is so notified.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1174, A bill to be entitled An act to repeal section 3792 of the Consolidated Statutes, relative to the operation of road steamers upon the public highways, and to make new provision therefor.

On motion of Mr. Scarborough, the bill is recalled from the Engrossing office for further consideration by the House.

On motion of Mr. Scarborough, the vote by which the bill passed its third reading is reconsidered.

On motion of Mr. Scarborough, the bill is laid on the Table.

H. B. 920, A bill to be entitled An act to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

For concurrence in the Senate Amendment.

On motion of Mr. Randolph, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

Committee Substitute for:

H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

The original bill is laid on the Table.

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1419, A bill to be entitled An act to amend chapter 136, Public Laws of 1927, known as the Bus Law.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1434, A bill to be entitled An act to amend chapter 261 of the Public Laws of 1931, giving the Advisory Budget Commission authority to make rules and regulations governing the operation of the Division of Purchase and Contract.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1450, A bill to be entitled An act to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before justices of the peace where clerk's certificates or order of registration defective.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1459, A bill to be entitled An act to amend Senate Bill No. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1474, A bill to be entitled An act supplemental to An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, ratified March 13, 1933, to correct typographical errors.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1493, A bill to be entitled An act to amend Article 3, section 2365 of the Consolidated Statutes, relative to removal of tenants in certain cases.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

S. B. 363, A bill to be entitled An act to amend section 35, chapter 60, Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 398, A bill to be entitled An act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof; creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities; authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

House Committee Substitute for:

S. B. 463, A bill to be entitled An act to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violations.

The bill fails to pass its second reading.

S. B. 615, A bill to be entitled An act to amend Committee Substitute for S. B. 525, known as the Beverage Control Act of 1933.

Passes its second and third readings, and is ordered Enrolled.

S. B. 546, A bill to be entitled An act relating to appeals from levies and assessments for taxation of unlisted property.

Passes its second and third readings, and is ordered Enrolled.

S. B. 333, A bill to be entitled An act to amend the Preamble and the several sections of the Constitution of North Carolina.

As amended, the bill passes its second reading by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Bean, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Crews,

Culpepper, Doughton of Alleghany, Eagles, English, Etheridge, Everett, Ewing, Flanagan, Garrou, Gattis, Grady, Graham, Groves, Hamilton, Howell, Hoyle, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Smith, Tatem, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, Wilson, Womble, Woodall and Young—65.

Those voting in the negative are: Messrs. Arndt, Bender, Binford, Boswell, Bowie, Brock, Cowles, Cox, David, Dees, Douglass, Eaton, Galloway, Gardner, Gatling, Gilliam, Graeber, Greer, Haynes, Ingram, Moye, Oaks, Scarborough, Sigmon, Stevens, Sullivan, Taylor of Mecklenburg, White, Williams and Woodfin—30.

The question now recurs upon the passage of the bill, as amended, on its third reading.

As amended, the bill passes its third reading by the following vote and is ordered sent to the Senate for concurrence in the House Amendment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Bean, Boyd, Brawley, Brown, Cameron, Cherry, Coffey, Crews, Culpepper, Doughton of Alleghany, Eagles, Etheridge, Everett, Ewing, Flanagan, Garrou, Gattis, Grady, Graham, Groves, Hamilton, Howell, Hoyle, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Martin, Massenburg, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Ray, Rouse, Ruark, Smith, Tatem, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, Wilson, Womble, Woodall and Young—61.

Those voting in the negative are: Messrs. Arndt, Bender, Binford, Boswell, Bowie, Brock, Cowles, Davis, Dees, Douglass, Eaton, Galloway, Gardner, Gatling, Gilliam, Graeber, Greer, Haynes, Ingram, Moye, Oaks, Scarborough, Sigmon, Stevens, Sullivan, Taylor of Mecklenburg, White, Williams and Woodfin—29.

Substitute for:

H. B. 879, A bill to be entitled An act to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment thereof as submitted by the Seventy-second Congress.

Passes its second reading by the following vote:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Bean, Beasley, Bender, Binford, Boswell, Bowie, Boyd, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Grady, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of

Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Young-93.

Those voting in the negative are: Messrs. Arndt, Braddy, Brock, Cowles, Davis, Eaton, English, Everett, Gilliam, Moye, Sigmon, Sprinkle and Woodfin—13.

The question now recurs upon the passage of the bill on its third reading. The bill passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Bean, Beasley, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Grady, Graeber, Graham, Grant, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Young—91.

Those voting in the negative are: Messrs. Arndt, Brock, Cowles, Davis, Eaton, English, Everett, Gilliam, Moye, Sigmon, Sprinkle and Woodfin—12. The original bill is laid on the Table.

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—94.

Those voting in the negative are: None.

S. B. 619, A bill to be entitled An act to authorize the Board of Commissioners for the County of Forsyth to convey to the City of Winston-Salem an easement for street and sidewalk purposes of a portion of the Courthouse property, and to provide for the improvement of the same and the assessment of benefits resulting therefrom.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Bean, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Edwards, English, Etheridge, Everett, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Gattis, Gilliam, Grady, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mizzell, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Smith, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—94.

Those voting in the negative are: None.

H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory Acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brock, Cameron, Cherry, Coffey, Cover, Cox, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garrou, Gatling, Gilliam, Grady, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Sprinkle, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—85. Those voting in the negative are: Mr. Stevens—1.

On motion of Mr. Braddy, H. B. 734, a bill to be entitled An act to regulate huckleberry dealers in Bladen County, is taken from the Commerce Committee and recommitted to the Calendar Committee.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

- S. B. 276, An act to amend section 2015 of the Consolidated Statutes of North Carolina relating to fishing in Roanoke River.
- S. B. 291, An act to amend chapter 333, Public Laws of 1920, relating to nonresident fur dealers' license.
- S. B. 294, An act to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

- S. B. 318, An act to improve the sanitary conditions of the manufacture of bedding.
- S. B. 376, An act to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina.
- S. B. 404, An act to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.
- S. B. 410, An act to amend section 1 of chapter 265 of the Public Laws of 1929 and section 6185 of Consolidated Statutes in order to make provisions for the care of the negro feebleminded.
  - S. B. 457, An act to prevent the misbranding of milk or cream.
- S. B. 460, An act to amend chapter 122, Public Laws of 1927, Article 3, section 15, subsection F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.
- S. R. 461, A Joint Resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.
- S. R. 467, A Joint Resolution of the Senate and House of Representatives of North Carolina providing for funding of the deficit now outstanding in North Carolina.
- S. B. 482, An act to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.
- S. B. 507, An act to amend section 1908, Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms.
- S. B. 516, An act supplemental to and amendatory of House Bill No. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.
- S. B. 520, An act to amend Senate Bill No. 10, the same being An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, ratified the 3d day of April, 1933.
- S. B. 527, An act to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.
- S. B. 354, An act to amend chapter 87, Public Laws of 1921, relating to cooperative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members.
  - S. R. 557, A Joint Resolution concerning Honorable J. R. Baggett.
- S. B. 608, An act to authorize and empower the City of Wilmington to donate water to the Young Men's Christian Association of said City.
- S. B. 612, An act to create the office of tax collector for Montgomery County and to fix the salary of the Sheriff of said County.
- S. B. 616, An act to amend chapter 367, Private Laws of 1911, relating to the incorporation of the Town of Arthur in Pitt County.
- H. B. 1298, An act to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.
- S. B. 268, An act to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions,

- S. B. 623, An act to allow Haywood and Jackson counties to come under the provisions of House Bill No. 1308 of the 1933 Session of the General Assembly of North Carolina, relating to court procedure in Cherokee, Clay and Macon counties.
- S. B. 484, An act to authorize the issuance of general funding and improvement bonds of the State.
- H. B. 874, An act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.
- H. B. 1198, An act to amend House Bill 221, Session 1933, ratified March 3, 1933, entitled, "An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the Board of Law Examiners,
- H. B. 1237, An act to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards.
  - H. B. 1295, An act to regulate peddling in the City of Elizabeth City.
- H. B. 1302, An act to amend House Bill 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein."
- H. B. 1360, An act authorizing the City of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said City.
- H. B. 1362, An act to amend section 1443 of the Consolidated Statutes, relative to the Courts of Hoke County.
- H. B. 1378, An act to allow the governing bodies of the Towns of Bladenboro and Elizabethtown to refund local improvement assessments.
- H. B. 1399, An act to provide for limitation of the net debt of the City of Burlington.
- H. B. 1408, An act relating to the salary of the Mayor and Commissioners of the Town of Benson, Johnston County.
- H. B. 1435, An act providing for the appointment of a court reporter for the Second Judicial District of North Carolina.
- H. B. 1437, An act to amend House Bill No. 880, ratified March 28, 1933, being "An act providing for renewal of notes and mortgages due Columbus County."

On motion of Mr. Massenburg, the House adjourns until 12:00 o'clock tomorrow.

## ONE HUNDRED FOURTH DAY

House of Representatives, Thursday, May 4, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative Joe Garibaldi of Mecklenburg County.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Graham, for the Committee on Education:

H. B. 521, A bill to be entitled An act for the efficient and economical operation of the public schools of the State, and for the distribution of the State appropriations made for the support of the free public schools.

With an unfavorable report as to bill, favorable as to Committee Substitute. On motion of Mr. Aycock of Wake, the bill is made a Special Order for Friday, May 5.

And,

H. B. 246, A bill to be entitled An act to regulate the number of school superintendents in North Carolina.

And,

H. B. 364, A bill to be entitled An act to provide for State maintenance of a school term of 160 days on the basis of a school week of six days or twenty-four days to the month, and amending sections 5390 and 5463 of the Consolidated Statutes.

And,

H. B. 70, A bill to be entitled An act to abolish the office of County Superintendent of Schools in each of the one hundred counties in the State and transfer their duties to eleven public school managers, one from each of the Eleven Congressional Districts.

And.

H. B. 113, A bill to be entitled An act to amend and supplement sections 5390 and 5463 of the Consolidated Statutes of North Carolina and to fix the number of school days in each school week.

And,

H. B. 245, A bill to be entitled An act to abolish the county board of education and the office of county superintendents of schools in each of the one hundred counties in the State of North Carolina, also the offices of rural supervisors and attendants officers in the State and counties, and transfer their powers, responsibilities and duties to thirty division boards of education and thirty division superintendents of schools.

With unfavorable reports.

And.

S. B. 548, A bill to be entitled An act to incorporate the North Carolina State Thrift Society.

And,

S. B. 549, A bill to be entitled An act to provide for instruction in thrift and saving in the public schools of the State.

And.

S. B. 596, A bill to be entitled An act to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the Board of School

Trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

With favorable reports.

By Mr. Moss, for the Committee on Judiciary No. 1:

H. B. 1478, A bill to be entitled An act to amend chapter 110, Article 6, of the Consolidated Statutes, relating to chiropractic.

And

S. B. 554, A bill to be entitled An act safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances, and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

And.

S. B. 599, A bill to be entitled An act to amend S. B. 451, ratified April 24, 1933, same being entitled An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes.

With favorable reports.

And,

H. B. 1518, A bill to be entitled An act to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the Public Health Law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same.

With a favorable report, as amended.

And.

H. B. 1262, A bill to be entitled An act to provide funds for public utility rate investigations.

And,

H. B. 1510, A bill to be entitled An act for the relief of John T. Williams. With unfavorable reports.

By Mr. Thompson of Beaufort, for the Committee on Commercial Fisheries:

H. B. 1292, A bill to be entitled An act to regulate fishing in Brunswick County.

With a favorable report.

On motion of Mr. Ruark, the bill is placed on its immediate passage.

Passes its second and third readings and is sent to the Senate without Engrossment.

#### ENGROSSED BILLS

Mr. Gatling, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1459, A bill to be entitled An act to amend Senate Bill No. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

H. B. 1493, A bill to be entitled An act to amend Article 3, section 2365 of the Consolidated Statutes relative to removal of tenants in certain cases. (Applicable to Johnston County only.)

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

Committee Substitute for:

H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

H. B. 1450, A bill to be entitled An act to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before justices of the peace where clerk's certificates or order of registration defective.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Bowie, by request: H. B. 1520, A bill to be entitled An act to regulate public printing in Mitchell County.

Placed on the Calendar.

By Mr. Beasley: H. B. 1521, A bill to be entitled An act to amend chapter 441 of Public Laws of 1931, regarding levying of special taxes in certain counties so as to include Union.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ewing, by request: H. B. 1522, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes of North Carolina, in regard to penalities for public drunkenness.

Referred to the Committee on Calendar.

By Mr. Dowtin: H. B. 1523, A bill to be entitled An act to repeal Senate Bill 367, ratified April 5, 1933, and Senate Bill 525, ratified April 28, 1933, to prohibit the sale of beer in the Village of Macon, Warren County, North Carolina.

Referred to the Committee on Calendar.

By Mr. Tatem: H. B. 1524, A bill to be entitled An act to amend House Bill No. 162, ratified March 13, 1933, entitled "An act to repeal the Dog Law as applied to Swain County."

Passed first reading.

Rules suspended.

As amended, the bill passes its second reading.

On motion of Mr. Hamilton, the bill and amendments are laid on the Table.

By Mr. Vann: H. B. 1525, A bill to be entitled An act providing for a special levy for special purposes by Hertford County.

Referred to the Committee on Calendar.

By Mr. Hutchins: H. B. 1526, A bill to be entitled An act to repeal H. B. 233, it being "An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the Clerk of Court of Mitchell County, the salary of the Sheriff and Treasurer-Tax Collector," ratified April 7, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Brock: H. B. 1527, A bill to be entitled An act to authorize and empower the Commissioners of Davie County, in their discretion, to allow fees for seizure of motor vehicles illegally transporting alcoholic beverages.

Passed first reading.

Rules suspended.

Passes its second reading and fails to pass its third reading.

By Mr. Howell: H. B. 1528, A bill to be entitled An act supplemental to and amendatory of S. B. 385, it being entitled "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police courts in the Town of Canton, Haywood County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1529, A bill to be entitled An act relating to official bonds for county or municipal officers in Haywood County.

Referred to the Committee on Calendar.

By Mr. Smith: H. B. 1530, A bill to be entitled An act to regulate appeals from courts of justices of the peace in civil action in Martin County.

Referred to the Committee on Calendar.

By Messrs. Graeber, Murphy and Olive: H. B. 1531, A bill to be entitled An act to provide the regulation and taxation of peddlers in the counties of Cabarrus, Rowan and Davidson.

Placed on the Calendar.

By Mr. Eaton: H. B. 1532, A bill to be entitled An act to amend chapter 228, Public-Local Laws, 1927, relating to the office of County Treasurer of Yadkin County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Flanagan: H. B. 1533, A bill to be entitled An act to validate the municipal election held in the Town of Farmville, Pitt County, on May 2, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Etheridge, Massenburg, Doughton, Hutchins and Randolph: H. B. 1534, A bill to be entitled An act to amend paragraph numbered seven of section 218 (c), section 1 of chapter 113, Public Laws of 1927, and to provide for the appointment of depositors' committee and for meeting of creditors to facilitate the liquidation of insolvent banks.

Referred to the Committee on Banks and Banking.

By Mr. Galloway: H. B. 1535, A bill to be entitled An act authorizing the Board of Commissioners of Transylvania County to accept county bonds in

payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

Referred to the Committee on Calendar.

By Messrs. Moss and Eagles: H. B. 1536, A bill to be entitled An act to repeal House Bill 1404, same being "A bill to be entitled An act relative to the Recorder's Court of Rocky Mount," ratified April 26, 1933.

Referred to the Committee on Counties, Cities and Towns.

By Mr. Randolph: H. B. 1537, A bill to be entitled An act providing for certain special tax in Swain County.

Placed on the Calendar.

By Mr. Lumpkin: H. B. 1538, A bill to be entitled An act to fix the punishment for unlawful fishing and trespass at Moore's Pond in Franklin County.

Placed on the Calendar.

By Mr. Bean: H. B. 1539, A bill to be entitled An act to authorize the governing bodies of the City of Salisbury and the Town of Spencer to cancel assessments against all churches located in said Cities.

Referred to the Committee on Calendar.

By Mr. Cowles: H. B. 1540, A bill to be entitled An act authorizing the County Commissioners of Wilkes County to appoint a special police officer to handle the county bloodhound or bloodhounds.

Referred to the Committee on Calendar.

By Messrs. Martin and Sullivan: H. B. 1541, A bill to be entitled An act to amend the Charter of the City of Asheville so as to exclude certain property from the corporate limits thereof.

Placed on the Calendar.

By Mr. Davis: H. B. 1542, A bill to be entitled An act to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Beaufort: H. B. 1543, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Beaufort County.

Referred to the Committee on Calendar.

By Messrs. Olive and Froneberger: H. B. 1544, A bill to be entitled An act to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties and the municipalities therein, ratified March 13, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Grant: H. B. 1545, A bill to be entitled An act to repeal House Bill No. 1150, enrolled and ratified May 1, 1933.

Passed first reading.

Rules suspended.

Passes its second reading and remains on the Calendar.

By Messrs. Grant and Newman: H. B. 1546, A bill to be entitled An act to repeal House Bill 1146, entitled An act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover, Enrolled and Ratified April 5, 1933.

Placed on the Calendar.

By Mr. Grant: H. B. 1547, A bill to be entitled An act for the relief of the indigent families of the City of Wilmington by the City furnishing water to such indigent families, and otherwise regulating the minimum charges, charged for water furnished by the City of Wilmington.

Placed on the Calendar.

By Messrs. Grant and Newman: H. B. 1548, A bill to be entitled An act to amend H. B. 889, entitled "An act to place the officers of New Hanover County upon a salary basis, and to fix the salaries of the City Commissioners including the Mayor," Enrolled and Ratified March 22, 1933.

Placed on the Calendar.

By Mr. Cameron: H. B. 1549, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverages within one and one-half miles of the Quaker Children's Home in Moore County.

Referred to the Committee on Calendar.

And.

H. B. 1550, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Village of Highfalls in Moore County.

Referred to the Committee on Calendar.

By Mr. Turner of Guilford, by request: H. B. 1551, A bill to be entitled An act to compel the closure of service stations, stores, soft drink stands, and other like establishments, and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday near Oak Ridge Military Institute, in Guilford County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. McEachern and Braddy: H. B. 1552, A bill to be entitled An act to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800 of the Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties.

Placed on the Calendar.

By Mr. Hoyle: H. B. 1553, A bill to be entitled An act amending chapter 651, Public Laws 1909, relating to the Municipal Court of the City of Greensboro.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

# CONFERENCE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned Conference Committee having been appointed by the House and Senate on the Committee Substitute for House Bill No. 627, the same being "An act to amend chapter 186, Private Laws 1931, being An act to amend Senate Bill No. 395, being the Charter of the City of Asheville, pertaining to the reduction of salaries of councilmen and other employees."

We recommend that the House concur in the Senate Amendment.

# Respectfully submitted,

W. A. SULLIVAN,
THOS. TURNER, JR.,
J. C. MARTIN,
Conferees on the part of the House.
C. E. Blackstock,
W. O. Burgin,
Conferees on the part of the Senate.

On motion of Mr. Sullivan, the report is adopted, and the Senate is so notified to the end that if a similar report is adopted by that Body, the bill will be ordered Enrolled.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 345, A bill to be entitled An act regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

Referred to the Committee on Education.

S. B. 584, A bill to be entitled An act to amend chapter 110, Article 4, of Consolidated Statutes of 1919, relating to the practice of optometry.

On motion of Dr. Douglass, the bill is placed on the Calendar.

S. B. 589, A bill to be entitled An act to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of H. B. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

On motion of Mr. Howell, the bill is placed on the Calendar.

S. B. 607, A bill to be entitled An act to validate certain sales by commissioners under judgments of the Superior Courts of North Carolina, in actions for the foreclosure of mortgages and deeds of trust, where the Judges of the Superior Courts have ordered the commissioners so appointed to sell the property conveyed by the mortgage or deed of trust to report the sales to the Clerk of the Superior Court for confirmation.

Referred to the Committee on Judiciary No. 1.

S. B. 632, A bill to be entitled An act supplemental to and amendatory of S. B. 180, it being An act to allow the counties, municipalities and other

governing agencies to refund tax sales certificates, and Ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein. Referred to the Committee on Finance.

S. B. 635, A bill to be entitled An act authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County.

Referred to the Committee on Finance.

H. B. 1180, A bill to be entitled An act to permit the governing bodies of the various counties, cities and towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns or units in settlement of the claims for said funds or any judgment recovered on account of same.

For concurrence in the Senate Amendment.

On motion of Mr. Thompson of Beaufort, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

Senate Committee Substitute for:

H. B. 1411, A bill to be entitled An act to amend chapter 37, Private Laws of 1909, relating to the Charter of the City of Lenoir.

For concurrence in the Senate Substitute.

On motion of Mr. Coffey, the Senate Substitute is adopted.

Passes second and third readings and is ordered Enrolled.

The original House Bill is laid on the Table.

## SPECIAL MESSAGE

Mr. Speaker:

SENATE CHAMBER, May 4, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Rankin, Bailey and Aiken, to act as Conferees with your Appointees to consider the differences arising on H. B. 120, title, "To raise revenue," and to adjust the same.

## Respectfully,

LEROY MARTIN, Clerk of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1331, A bill to be entitled An act to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "milk sickness" and to charge a reasonable fee therefor.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1439, A bill to be entitled An act to fix the salary of the Sheriff of Hyde County.

On motion of Mr. Davis, the bill is laid on the Table.

H. B. 1504, A bill to be entitled An act to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasants and quail in said County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

HOUSE JOURNAL

H. B. 1507, A bill to be entitled An act to allow the citizens of Brinkleyville Township, Halifax County, to fish with seins in said Township any time during the year.

On motion of Mr. Makepeace, the bill is recommitted to the Committee on Conservation and Development.

S. B. 522, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Wilson County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 609, A bill to be entitled An act to provide for the redemption of property sold for taxes in Mitchell and Madison counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 622, A bill to be entitled An act to appoint a Boxing Commission for the County of Cabarrus.

Passes its second and third readings, and is ordered Enrolled.

H. R. 985, Joint Resolution to be entitled An act requiring the officers of the North Carolina Education Association to furnish to the House of Representatives and the Senate of the State of North Carolina a complete list, audit, minutes, and the names of various companies, organizations, corporations, or individuals from whom said Association receives or obtains revenue of any kind, together with the amounts thereof, including fees, commissions, and annual dues; and also a complete list of all disbursements, together with the names and postoffice addresses of all persons receiving any part of said disbursements, and the amounts thereof.

On motion of Mr. Womble, the resolution is taken from the Committee on Education and placed on the Calendar for its immediate consideration.

The resolution passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 720, A bill to be entitled An act to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, Session 1929.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 721, A bill to be entitled An act to prohibit the sale of black bass

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1347, A bill to be entitled An act to provide for the assessment and the collection of a specific tax upon deficiency judgments occurring from the foreclosure of all liens founded upon and evidenced by mortgages on real estate, land contracts or other liens upon real estate, and to repeal all Acts and parts of Acts in contravention thereto.

On motion of Mr. Randolph, the bill is laid on the Table.

Committee Substitute for:

H. B. 1415, A bill to be entitled An act to amend chapter 78 of the Consolidated Statutes of North Carolina, so as to authorize the investment of trust funds in building and loan associations.

Committee Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 1460, A bill to be entitled An act to authorize the Board of Commissioners of Wake County to issue bonds to fund a valid and outstanding indebtedness of the School Committee of Raleigh Township.

An amendment offered by Mr. Womble is adopted.

On motion of Mr. Aycock of Wake, the bill is recommitted to the Committee on Finance.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander.)

Amendments offered by several members are adopted.

As amended, the bill passes its first reading, and remains on the Calendar for its second reading Roll Call.

H. B. 1509, A bill to be entitled An act to regulate peddling in the City of Winston-Salem.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Barden, Bender, Berryman, Binford, Boyd, Brock, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Martin, Mizzell, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Sprinkle, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Vann, Warlick, Watson, White, Williams, Wilson, Womble and Woodall—77.

Those voting in the negative are: Messrs. Falkner, Stevens, Thompson of Robeson, Tompkins and Turner of Guilford—5.

S. B. 469, A bill to be entitled An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wayne, Bean, Beasley, Bender, Berryman, Binford, Boyd, Braddy, Brock, Cameron, Cherry, Coffey, Cover, Cox, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, English, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Graeber, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Lumpkin, Makepeace, Martin, Mizzell, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Sprinkle, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—83.

Those voting in the negative are: None.

H. B. 446, A bill to be entitled An act to amend chapter 122 of the Public Laws of 1927, and amendatory Acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, and truck-tractors, trailers, semi-trailers, and busses.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boyd, Braddy, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Grant, Greer, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Pender, Lumpkin, Makepeace, Martin, Mizzell, Moye, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—83.

Those voting in the negative are: None.

S. B. 619, A bill to be entitled An act to authorize the Board of Commissioners for the County of Forsyth to convey to the City of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom.

Passes its third reading by the following vote and is ordered Enrolled. Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boyd, Braddy, Brock, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eaton, Edwards, English, Etheridge, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Grant, Greer, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Pender, Lumpkin, Makepeace, Martin, Mizzell, Moye, McEachern, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—83.

Those voting in the negative are: None.

#### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration, H. B. 1304, A bill to be entitled An act regulating and providing for election of trustees of the University of North Carolina, and to amend section 5789 of Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws 1931.

On motion of Mr. Thompson of Beaufort, consideration of the bill is deferred until Monday night, May 8.

## ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 393, An act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants.

S. B. 412, An act to amend section 1179 of the Consolidated Statutes of North Carolina relating to payment of dividends by corporations and for other purposes.

S. B. 513, An act to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State Laws, Journals, Documents, Reports and Publications to the Library of the University of North Carolina.

S. B. 546, An act relating to appeals from levied and assessments for taxation of unlisted property.

S. B. 458, An act to amend the North Carolina Game Law.

S. B. 615, An act to amend Committee Substitute for Senate Bill 525, known as the Beverage Control Act of 1933.

H. B. 920, An act to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities affiliated or subsidiary corporations.

H. B. 980, An act to amend chapter 61 of the Public-Local Laws of 1931, relative to the election of commissioners of Franklin County.

H. B. 1008, An act to amend the Charter of the Town of Granite Falls.

H. B. 1144, An act to amend section 16 (a), chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers license tags.

H. B. 1166, An act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband, in criminal prosecutions for the abandonment and non-support of children.

H. B. 1192, An act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding "Franklin County" after the words "Hyde County."

H. B. 1201, An act to amend section 962 of the Consolidated Statutes, as amended by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section.

H. B. 1208, An act to amend section 5960 of the Consolidated Statutes, relating to absentee voting. (Applicable only to Graham, Jackson, Rutherford and Swain counties.)

H. B. 1269, An act to repeal Senate Bill 158, the same being "A bill to be entitled An act providing for the inspection of meats and meat markets in the Village of Haw River, in Alamance County," ratified February 20, 1933.

H. B. 1306, An act to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes, relating to public libraries.

H. B. 1333, An act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said County.

H. B. 1346, An act to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said sections.

- H. B. 1372, An act to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank, held by him, for distribution to the depositors of said bank.
- H. B. 1383, An act to amend House Bill 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act.
- H. B. 1452, An act to prohibit the sale of beer, wine, or other intoxicating liquors within one and one-half miles of Guilford College.
- H. B. 1453, An act to prohibit the sale of beer, wine, and other intoxicating liquors within one and one-half miles of Oak Ridge Military Institute.
- H. B. 1465, An act supplemental to House Bill 914, known as "The Machinery Act of 1933," ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the City of Rocky Mount.
- H. B. 1467, An act relating to the duties of the Sheriff and County Accountant of Caswell County.
- H. R. 1471, A Joint Resolution directing the Secretary of the State to send a copy of House Bill No. 15 to each of the Register of Deeds of the several counties of the State.
- H. B. 1479, An act to enable the City of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.
- H. B. 1497, An act to amend Article IV, section 400 of House Bill No. 914, entitled, "An act to provide for the listing and valuing of all property real, personal and mixed, at its true value in money."
- H. B. 1516, An act to validate settlement between Board of Commissioners of Brunswick County and Board of Education.
- H. B. 1506, An act creating an agricultural and breeders' association for the County of McDowell on approval by the voters of said County.

On motion of Mr. Crews, H. B. 1148, A bill to be entitled An act to enable non-profit corporations which have merged to regain their former status, is taken from the Committee on Corporations, and recommitted to the Committee on Judiciary No. 1.

On motion of Mr. Makepeace, S. B. 490, A bill to be entitled An act to create a building code council for North Carolina, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Hamilton, the House adjourns until 11:00 o'clock tomorrow.

# ONE HUNDRED FIFTH DAY

House of Representatives, Friday, May 5, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Dr. A. B. Hunter of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the calendar, as follows:

By Mr. Etheridge, for the Committee on Banks and Banking:

H. B. 1534, A bill to be entitled An act to amend paragraph No. 7 of section 218 (c) section 1, chapter 113, Public Laws of 1927, and to provide for the appointment of depositors committee and for meeting of creditors to facilitate the liquidation of insolvent banks.

And,

S. B. 582, A bill to be entitled An act to permit the deposit of moneys of the State, county, city, town or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security.

With favorable reports.

H. B. 1462, A bill to be entitled An act relating to the sale of certificates of deposits in the Citizens Bank of Elk Park, Avery County.

With unfavorable report.

By Mr. Makepeace, for the Committee on Game:

H. B. 1315, A bill to be entitled An act to amend the North Carolina game laws relating to hunting preserves.

With a favorable report.

By Mr. Graham, for the Committee on Education:

S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race, of Robeson County.

And.

S. B. 345, A bill to be entitled An act regulating the purchase and character of the fuel for use in the rural public schools in North Carolina. With favorable reports.

By Mr. Tompkins, for the Committee on Calendar:

H. B. 1523, A bill to be entitled An act repealing Senate Bill No. 367, ratified April 5, 1933, and Senate Bill No. 525, ratified April 28, 1933, to prohibit the sale of beer in the village of Macon, Warren County, North Carolina.

And,

H. B. 1525, A bill to be entitled An act providing for special levy for special purposes by Hertford County.

And,

H. B. 1529, A bill to be entitled An act relating to official bonds for county or municipal officers in Haywood County.

And,

H. B. 1530, A bill to be entitled An act to regulate appeals from Courts of Justices of the Peace in civil actions in Martin County.

And,

H. B. 1535, A bill to be entitled An act authorizing the Board of Commissioners of Transylvania County to accept county bonds in payment of certain

notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

And,

H. B. 1540, A bill to be entitled An act authorizing the County Commissioners of Wilkes County to appoint a special police officer to handle the county bloodhound or bloodhounds.

And.

H. B. 1543, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Beaufort County.

And,

H. B. 1550, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the village of Highfalls, Moore County.

With favorable reports.

And,

H. B. 1549, A bill to be entitled An act to prohibit the sale of beer, or other alcoholic beverage, within one and one-half miles of the Quaker Childrens' Home in Moore County.

With a favorable report as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Wilson: H. B. 1554, A bill to be entitled An act to create the Caswell County Historical Commission.

Referred to the Committee on Calendar.

By Mr. Neal: H. B. 1555, A bill to be entitled An act to amend Senate Bill No. 180, Public Laws of 1933, relating to refund of tax sales certificates.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1556, A bill to be entitled An act to approve postponement of date of tax sales.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Etheridge: H. R. 1557, Joint Resolution to encourage the celebration of the 350th anniversary of the founding of the English settlement on Roanoke Island.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Thompson of Robeson and Graham: H. B. 1558, A bill to be entitled An act to validate the acts of J. S. McRae, a Justice of the Peace for the County of Robeson.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Beasley: H. B. 1559, A bill to be entitled An act to amend S. B. 180, of the Session of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, so as to include Union County in section 14 thereof.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Watson and Moss: H. R. 1560, Joint Resolution making the chickadee the official bird of the State.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 645, A bill to be entitled An act to authorize the City of Winston-Salem to accept certain bonds in payment of taxes, special assessments and other dues.

On motion of Mr. Crews, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

S. B. 627, A bill to be entitled An act to provide for certain special taxes in Rutherford County.

Referred to the Committee on Calendar.

S. B. 630, A bill to be entitled An act to provide the regulation and taxation of peddlers in the City of Charlotte, North Carolina.

Placed on the Calendar.

S. B. 634, A bill to be entitled An act to regulate the time limit for liquidation of defunct banks in Rutherford County.

Referred to the Committee on Banks and Banking.

S. B. 640, A bill to be entitled An act to place the Sheriff of Wilson County on a salary and to authorize the Board of County Commissioners to fix the amount thereof.

On motion of Mr. Boswell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

S. B. 644, A bill to be entitled An act to amend section 3, chapter 21 of the Private Laws of 1931 in respect to the City Government of Monroe.

On motion of Mr. Beasley, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

H. B. 1064, A bill to be entitled An act to provide for the collection of delinquent taxes on real estate in Polk County.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1221, A bill to be entitled An act to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County.

For concurrence in the Senate Amendment.

On motion of Mr. Hamilton, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1350, A bill to be entitled An act to release church property in the Town of Boone, Watauga County, for payment of street and sidewalk paving assessments.

For concurrence in the Senate Amendment.

On motion of Mr. Greer, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1409, A bill to be entitled An act to release church property in the Town of Benson, Johnston County, from payment of street and sidewalk paying assessments.

For concurrence in the Senate Amendment.

On motion of Mr. Woodall, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1403, A bill to be entitled An act to amend the tax foreclosure act of 1933, known as H. B. 158 to exempt from its provisions Alamance County and the municipalities therein.

For concurrence in the Senate Amendment.

On motion of Mr. Warlick, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1464, A bill to be entitled An act to amend S. B. 180, the same being "A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

For concurrence in the Senate Amendment,

On motion of Mr. Watson, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 646, A bill to be entitled An act to legalize mass meetings in the Town of Roxboro for the purpose of nominating municipal officers, and to regulate the printing and use of official ballots in said town.

On motion of Mr. Brawley, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

S. B. 267, A bill to be entitled An act relating to the compensation of the Sheriff and Tax Collector of Cherokee County.

Referred to the Committee on Calendar.

S. B. 592, A bill to be entitled An act to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County.

Referred to the Committee on Game.

S. B. 620, A bill to be entitled An act to amend section 1608 of Volume III of the Consolidated Statutes placing Ashe County under the provisions of the general law relating to the establishment of Recorders' Courts.

On motion of Mr. Bowie, the bill is laid on the Table.

#### SPECIAL MESSAGES

Mr. Speaker:

Senate Chamber, May 4, 1933.

Pursuant to your request I am returning Senate Bill No. 490, title, "To create a building code council for North Carolina," for further consideration by your Honorable Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Having been recalled from the Senate, on motion of Mr. Makepeace, the vote by which the bill passed its third reading is reconsidered. An amendment offered by Mr. Makepeace is adopted.

As amended, the bill passes its third reading and is ordered sent to the Senate for concurrence in the House amendment.

Mr. Speaker:

SENATE CHAMBER, May 5, 1933.

It is ordered that a message be sent to the House of Representatives requesting the return of House Bill No. 968, title "To provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina, or any subdivision thereof," for further consideration by the Senate.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Boyd, the bill is ordered returned to the Senate.

## CALENDAR

Bills and Resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1520, A bill to be entitled An act to regulate public printing in Mitchell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1538, A bill to be entitled An act to fix the punishment for unlawful fishing and trespassing at Moore's Pond in Franklin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1552, A bill to be entitled An act to amend chapter 527 of Public-Local Laws 1921, amending chapter 800 of Public-Local Laws 1913, relating to salary of court stenographer for Hoke and Bladen counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1545, A bill to be entitled An act to repeal H. B. 1150 Enrolled and ratified May 1, 1933.

As amended, the bill passes its third reading, and is ordered Engrossed and sent to the Senate.

H. B. 1546, A bill to be entitled An act to repeal H. B. 1146, entitled "An act to amend chapter 426 of the Public Laws 1919, as amended, relative to the Meter Adjuster of the County of New Hanover, Enrolled and Ratified April 5, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1547, A bill to be entitled An act for the relief of the indigent families of the City of Wilmington by the City furnishing water to such indigent families, and otherwise regulating the minimum charges, charged for water furnished by the City of Wilmington.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1548, A bill to be entitled An act to amend H. B. 889, entitled "An act to place the officers of New Hanover County upon a salary basis, and to fix the salaries of the City Commissioners, including the Mayor," Enrolled and ratified March 22, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 596, A bill to be entitled An act to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the Board of School Trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

Passes its second and third readings, and is ordered Enrolled.

S. B. 599, A bill to be entitled An act to amend S. B. 451, ratified April 24, 1933, same being entitled "An act allowing and directing the tax collecting authorities of the City of Asheboro to accept bonds in the payment of street assessments and certain taxes."

Passes its second and third readings, and is ordered Enrolled.

H. B. 1458, A bill to be entitled An act relating to a moratorium on foreclosures of mortgages and deeds of trust.

On motion of Mr. Rouse, the bill is recommitted to the Calendar Committee. H. B. 1478, A bill to be entitled An act to amend chapter 110, Article 6 of the Consolidated Statutes, relating to chiropractic.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1489, A bill to be entitled An act to clarify acts of the General Assembly of 1933 containing references to and amendments of the North Carolina Code.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1502, A bill to be entitled An act to amend S. B. 525, relating to application for license to sell beer.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 119, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes relating to the tax on dogs.

On motion of Mr. Randolph, the bill is laid on the Table.

S. B. 548, A bill to be entitled An act to incorporate the North Carolina State Thrift Society.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1509, A bill to be entitled An act to regulate peddling in the City of Winston-Salem.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Coffey, Cover, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: None.

H. B. 1518, A bill to be entitled An act to amend chapter 118 of the Consolidated Statutes of North Carolina relating to the administration of the Public Health Law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Coffey, Cover, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: None,

H. B. 1537, A bill to be entitled An act providing for certain special tax in Swain County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Coffey, Cover, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Falkner, Flanagan, Galloway, Gardner,

Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: None.

H. B. 1541, A bill to be entitled An act to amend the Charter of the City of Asheville so as to exclude certain property from the corporate limits thereof.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Coffey, Cover, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: None.

H. B. 1531, A bill to be entitled An act to provide the regulation and taxation of peddlers in the Counties of Cabarrus, Rowan and Davidson.

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brock, Coffey, Cover, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moye, Murphy, Neal, Olive, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble, Woodall and Woodfin—78.

Those voting in the negative are: None.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander.)

As amended, the bill passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Aycock of Wayne, Barden, Bean, Beasley, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Coffey, Cover, Cox, Crews, Davis, Dees, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Flanagan, Galloway, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Martin, Mizzell, Murphy, Neal, Oaks, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Columbus, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—74.

Those voting in the negative are: Mr. Moore-1.

#### SPECIAL ORDER

The hour for the Special Order having arrived, the Speaker lays before the House for its consideration H. B. 521, A bill to be entitled An act for the efficient and economical operation of the public schools of the State and for the distribution of the State appropriations made for the support of the free public schools.

On motion of Mr. Aycock of Wake, consideration of the bill is deferred and the bill is made a Special Order for Monday night, May 8, 1933.

## ENROLLED BILLS

- Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of the Secretary of State:
- S. B. 363, An act to amend section 35, chapter 60 Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of Local Government when in default.
- S. B. 469, An act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail.
- S. B. 522, An act to regulate the sale of unginned or seed cotton in Wilson County.
- S. B. 609, An act to provide for the redemption of property sold for taxes in Mitchell and Madison counties.
- S. B. 619, An act to authorize the Board of Commissioners for the County of Forsyth to convey to the City of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom.
- S. B. 622, An act to appoint a Boxing Commission for the County of Cabarrus.
- H. B. 446, An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers, and busses.
  - H. B. 610, An act to regulate the hunting of foxes in Caswell County.
- H. B. 1063, An act to validate the foreclosure of tax certificates in Polk County.

- H. B. 1176, An act to authorize the Board of Commissioners of Watauga County, in their discretion, to abolish the Recorder's Court of said County.
- H. B. 1180, An act to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns, or units in settlement of the claim for said funds or any judgment recovered on account of same.
- H. B. 1297, An act to amend Senate Bill 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act.
- H. B. 1325, An act to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the Clerk of Superior Court of Guilford County.
  - H. B. 1328, An act to protect pheasants in the County of Iredell.
- H. B. 1352, An act providing for a special tax levy in Alexander County for special purposes.
- H. B. 1380, An act validating certain tax sales in the town of Columbus, Polk County, and for other purposes.
- H. B. 1385, An act to allow the Commissioners of the town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.
- H. B. 1394, An act to regulate the fees of the Sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.
- H. B. 1411, An act to amend chapter 37, Private Laws of 1909, relating to the Charter of the City of Lenoir.
- H. B. 1418, An act to repeal House Bill 752, ratified the 20th day of March. 1933, entitled "An act to amend chapter 51, Public Laws of 1927, relating to hunting of wild turkeys in Guilford County."
- H. B. 1421, An act to amend Article 22, of chapter 27, of the Consolidated Statutes of North Carolina relating to civil jurisdiction of Recorders' Courts, with the provisions of this act applying only to the County of Carteret.
- H. B. 1427, An act to permit the discharge of the Grand Jury in Surry County when it has completed the business of the term.
- H. B. 1430, An act to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.
- H. B. 1447, An act to provide for the erection of a retaining wall between Waccamaw Lake and the town of Lake Waccamaw.
- H. B. 1449, An act authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the Municipal Court of the City of Greensboro.
- H. B. 1484, An act regulating the costs in the Criminal Court for the County of Scotland.
- H. B. 1485, An act to rearrange and establish the terms of office of the members of the Board of Commissioners of Polk County.
- H. B. 1495, An act to amend chapter 231 of the Private Laws of 1927 of North Carolina, relative to the office of City Manager of the City of Salisbury.
- H. B. 1498, An act to prohibit the sale of light wines and beer within one and one-half miles of Cane Creek Church and the Sylvan High School in Southern Alamance County.

H. B. 1501, An act to provide for the reduction of indebtedness in Cherokee County.

H. B. 1526, An act to repeal House Bill 233 it being "An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said County, ratified April 7, 1933."

H. B. 1533, An act to validate the municipal election held in the town of Farmville, Pitt County, on May 2, 1933.

On motion of Mr. Cherry, the House takes a recess until 3:30 o'clock.

# AFTERNOON SESSION

House of Representatives, Friday Afternoon, May 5, 1933.

Pursuant to its recess the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

S. B. 635, A bill to be entitled An act authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County.

With a favorable report.

#### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1544, A bill to be entitled An act to amend House Bill No. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired on real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties and the municipalities therein, ratified March 13, 1933.

For concurrence in the Senate amendment.

On motion of Mr. Olive, the House concurs in Senate amendment, and the bill is ordered Enrolled.

#### CONFERENCE REPORT

Conferees on part of the House of Representatives and Senate on House Bill 120, entitled "An act to raise revenue," beg leave to make the following report:

It is recommended that the House concur in Senate amendment to section 21½, as follows: "Amend section 21½ of Committee Substitute for House Bill 120, by adding after the word 'box' in line 39, page 28, the following: 'notwithstanding any of the provisions of this section, any life insurance company may pay the proceeds of any policy upon the life of a

decedent to the person entitled thereto as soon as it shall have mailed to the Commissioner of Revenue a notice in such form as the Commissioner of Revenue may prescribe, setting forth the fact of such payment, but if such notice be not mailed, all of the provisions of this section shall apply."

It is recommended that the House concur in Senate Amendment to section 100 of Schedule (B) of Article II of said bill, page 36, subsection (b), as follows: "Every county, city and town license issued under this Article or Schedule shall be for twelve months, and shall expire on the 31st day of May or 30th day of June of each year, as the governing body of such county, city or town may determine: Provided, that where the licensee begins such business or exercises such privilege after the expiration of seven months of the current fiscal year of such municipality, then such licensee shall be required to pay one-half of the tax prescribed other than the tax prescribed to be computed upon a gross-receipts and/or percentage basis."

That the Senate recede from its amendment to Committee Substitute for House Bill 120 in the nature of a new section to be known as section 101, as follows: "Section 101. Baseball, Basketball, Football, Wrestling and Boxing Contests—upon any and all forms of entertainment and amusement not otherwise taxed or specially exempted in this Act, including athletic contests of all kinds, high school and elementary school contests, for which an admission is charged in excess of twenty-five (25) cents, including football, baseball, basketball, wrestling and boxing contests, an annual license tax of \$5 shall be paid for each location where such charges are made, and an additional charge upon the gross receipts at the rate of tax levied in Article V, Schedule (E) of this act upon retail sales of merchandise. The tax levied in this subsection shall apply to all privately-owned toll bridges, including all charges made for all vehicles, freight and passenger, and the minimum charge of twenty-five (25) cents for admission shall not apply to bridge tolls."

That the Senate recede from its amendment to Committee Substitute for House Bill 120, to section 105, page 3, as follows:

"Section 105. Amusements-Moving Pictures or Vaudeville Shows.

(A) Every person, firm or corporation engaged in the business of moving pictures, or vaudeville exhibitions or performances, or operating a theater or opera house where public exhibitions or performances are given for compensation, shall apply for and obtain in advance from the Commissioner of Revenue a State license for the privilege of engaging in such business, and shall pay for such State license, for each room, hall or tent used, the following tax per annum:

In	cities or towns of 1	ess than 1,000 population\$	50.00-
In	cities or towns of 1,	000 and less than 2,000 population	75.00
In	cities or towns of 2,	000 and less than 3,000 population	150.00
In	cities or towns of 3,	000 and less than 4,000 population	250.00
In	cities or towns of 4,	000 and less than 5,000 population	300.00
In	cities or towns of 5,	000 and less than 7,500 population	375.00
In	cities or towns of 7,	500 and less than 10,000 population	450.00
In	cities or towns of 10	0,000 and less than 15,000 population	600.00
In	cities or towns of 15	5,000 and less than 20,000 population	800.00
In	cities or towns of 20	0,000 and less than 25,000 population	850.00

- (B) In cities of 10,000 population or more, the tax upon theaters of seating capacity of less than 500 shall be \$500.
- (C) In cities of 25,000 population or more, the tax upon theaters of seating capacity of less than 800 shall be \$800.
- (D) For any moving picture show operated more than one mile from the business center of any city of 15,000 population or over (for the purpose of this provision the term "business center" being defined as the intersection of the two principal business streets of the city), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1933, the license tax shall be \$200.
- (E) Counties shall not levy any license tax on the business taxed under this section, but cities and towns may levy a license tax not in excess of one-fourth of that levied by the State: Provided, theaters paying tax under section 102 shall not be taxed under section 105."

It is recommended that the House concur in Senate Amendment to section 108, page 53, as follows: "In lines six and seven, section 108, strike out the words 'in payment of any percentage of receipts is paid to any person' and insert 'is paid to such local talent.'"

It is recommended that the House concur in Senate Amendments to section 109, as follows: "Amend Committee Substitute for House Bill 120, section 109 by substituting the word 'suspension' for the word 'revocation' in line 59, page 55; amend further by striking out lines 27, 28, 29 and 30 of section 109 on page 54."

"Amend Committee Substitute for House Bill 120 by striking out the word 'shall' in section 109, subsection (b), line 58, page 55, and insert in lieu thereof the word 'may.' Amend subsection (b), section 109, by striking out in lines 58 and 59, page 55, the words 'revoking the professional license of such person,' and inserting in lieu thereof the following: 'suspending the professional license of such person until all such tax as may be due shall have been paid.'"

It is recommended that the House concur in Senate Amendment to section 121, page 71, as follows: "By striking out of subsection (c), page 71, line 59, the words 'fresh fruits and/or vegetables' and insert the words after the word 'of' in line 59, 'all farm products.'"

It is recommended that the House concur in Senate Amendment to section 121, subsection (h) as follows: "By striking out of line 106, page 73, the word 'that' and inserting in lieu thereof the words 'the annual license.'"

It is recommended that the House concur in Senate Amendment to section 126, subsection (d), page 82, as follows: "By striking out the figure '\$10' in line 35, and inserting in lieu thereof the figures '\$5."

It is recommended that the House concur in Senate Amendment to section 129, as follows: "By striking out House Amendment to subsection (d), page 86."

It is recommended that the House concur in Senate Amendments to section 130 as follows: "Amend section 130 of Committee Substitute for House Bill 120 by striking out the House Amendments on page 87."

"Further amend section 130 by striking out lines 20 to 24, inclusive, page 87, and substituting in lieu thereof the following: 'Any such machine except as hereinafter provided, that requires:

Deposit of less than five cents	5.00
Five cents and less than ten cents	10.00
Ten cents and not more than twenty cents	20.00
More than twenty cents	30.00

"Amend section 130 of Committee Substitute for House Bill 120 by inserting after figures '\$10' in line 33, page 88, the following: 'Provided further that the tax on checker-board devices operated by slot machines and requiring deposits of not more than five cents shall be \$5."

"Amend section 130 of Committee Substitute for House Bill 120 by striking out House Amendment, page 88, and inserting in lieu thereof the following: 'Amend section 130, subsection (b) in line 45, by inserting after the word "apply" the following: 'to any automatic locker used as a depository for parcels, clothing, or luggage, nor.'"

Amend section 130 of Committee Substitute for House Bill 120 by substituting a comma for the period at the end of subsection (b), line 52, page 88, and adding thereto the following, 'or to penny food vending machines.'"

It is recommended that the Senate recede from its Amendment to section 130 of Committee Substitute for House Bill 120, as follows: "Amend section 130 of Committee Substitute for House Bill 120 by striking out House Amendment to subsection (f), page 89."

It is recommended that the House concur in Senate Amendment to section 134 of Committee Substitute for House Bill 120, as follows: "By striking out of subsection (b), pages 96 and 97, lines 60 to 70, inclusive, and inserting in lieu thereof the following:

It is recommended that the House concur in Senate Amendment to section 135, as follows: "Amend section 135 of Committee Substitute for House Bill 120 by striking out of line 15, page 99, the words, 'one-half of one per cent' and inserting in lieu thereof the words 'one-fourth of one per cent.'"

It is recommended that the House concur in Senate Amendment to section 138, as follows: "Amend Committee Substitute for House Bill 120, section 138, subsection (b) by striking out all of lines 22, 23, 24 and 25, page 102."

It is recommended that the House concur in Senate Amendment to section 150, as follows: "Amend section 150 Committee Substitute for Budget Revenue Bill, page 116, by striking out lines 28 through 32, inclusive, and substitute in lieu thereof the following words: 'Provided, however, that any laundry or other concern herein referred to where work is performed exclusively by hand or home-size machines only, and where not more than four persons are employed including the owners, the license tax shall be one-third of the amount stipulated in the foregoing schedule.'"

It is recommended that the House concur in the Senate Amendment to section 151, as follows: "Amend Committee Substitute for House Bill 120 by changing the period at the end of line 37, page 119, to a comma and adding the following: 'but when the applicant intends to advertise his own business exclusively by the erection or placement of such outdoor advertising signs, structures, boards, bulletins, or devices as specified in this section, he may be licensed to do so upon the payment annually of one dollar (\$1) for each sign up to five hundred (500) in number and for five hundred (500) or more, the sum of five hundred (\$500) dollars for the privilege in lieu of all other taxation as provided in this section, except such further taxation as may be imposed upon him by cities or towns, acting under the power to levy not in excess of one-half of that specified in paragraph two of subsection (a) of this section.'"

It is recommended that the House concur in Senate Amendment to section 151, as follows: "Amend Committee Substitute for House Bill 120, section 151, subsection (b), by striking out the words 'and filing said written permit or copy thereof with the Commissioner of Revenue of the State,' appearing in lines 52 and 53, page 120."

It is recommended that the House concur in Senate Amendment to section 152, as follows: "Amend section 152 of Committee Substitute for House Bill 120 by striking out the House Amendment to subsection (c), page 126."

It is recommended that the House concur in Senate Amendment to section 155, as follows: "Amend Committee Substitute for House Bill 120, section 155, entitled 'Plumbers, Heating Contractors and Electricians.' Amend section 155 in line 9, page 134, by striking out the colon after the word 'tax' and by adding in lieu thereof the following: 'based on population.' Amend further by striking out lines ten, eleven, twelve and thirteen, inclusive, and adding in lieu thereof the following:

Municipalities of less than two thousand population	\$10.00
Municipalities of more than two thousand and less than five thousand	
population	15.00
Municipalities of more than five thousand and less than ten thousand	
population	20.00
Municipalities of more than ten thousand and less than twenty thousand	
population	25.00
Municipalities of more than twenty thousand and less than thirty	
thousand population	30.00
Municipalities of more than thirty thousand and less than forty	
thousand population	35.00
Municipalities of more than forty thousand and less than fifty thousand	
population	40.00
Municipalities of more than fifty thousand population	50.00
Amend further by striking out lines fourteen to seventeen, incl	usive,
page 134."	

It is recommended that the Senate recede from its amendment to section 155, as follows: "Amend section 155 further by adding after the period in line 24, page 135, the following: 'All plumbing inspectors in cities or towns shall make a monthly report to the Commissioner of Revenue of all installation or repair permits issued for plumbing or heating."

It is recommended that the Senate recede from its amendment to section 155, as follows: "Amend section 155, page 134, of Committee Substitute for House Bill 120 by inserting after the word 'employing' in lines ten, eleven and thirteen the words, 'an average of'."

It is recommended that the House concur in the Senate Amendment to section 155, as follows: "Provided that when a licensed plumber employs only one additional person the tax shall be one-half."

It is recommended that the House concur in the Senate Amendment to section 155, as follows: "Amend section 155 of the Committee Substitute for House Bill 120 by inserting between lines twenty-one and twenty-two, page 135, the following: 'All plumbing inspectors in cities or towns shall make a monthly report to the Commissioner of Revenue of all installation or repair permits issued for plumbing or heating'."

It is recommended that the House concur in the Senate Amendment to section 157, as follows: "Amend Committee Substitute for House Bill 120, section 157, subsection (A), by striking out the period at the end of said subsection and substituting a colon therefor, and by adding the following words after said colon: 'Provided, that this tax shall not be levied in cases wheer the county is required to pay the cost'."

It is recommended that the House concur in Senate Amendments to section 203, as follows: "Amend section 203 of Committee Substitute for House Bill 120 by striking out the House Amendment inserted as subsection (6), page 159."

"Amend Committee Substitute for House Bill 120, section 203, subsection three, by striking out in line thirty-five thereof, page 158, the words 'five and one-half per cent' and inserting in lieu thereof the words 'six per cent'."

It is recommended that the Senate recede from its amendment to section 207, as follows: "Amend Committee Substitute for House Bill 120, section 207, by adding subsection (E), to read as follows: 'A tax of \$3 per year on each public pay station telephone shall be levied and collected by the Commissioner of Revenue'."

It is recommended that the House concur in the Senate Amendment to section 208, as follows: "Amend Committee Substitute for House Bill 120 by adding after the word 'association' in line 33, section 208, page 166, (printed bill), the words 'except domestic mutual burial association'."

It is recommended that the House concur in the Senate Amendment to section 211, as follows: "Amend section 211 of Committee Substitute for House Bill 120 by striking out the House Amendment, page 174."

It is recommended that the Senate recede from its amendments to section 401, as follows: "Amend Committee Substitute for House Bill 120 by adding to paragraph three on page 227 the following: 'In order to make this purpose effective, the Commissioner of Revenue is empowered and directed to devise, promulgate and enforce regulations under which the retail merchants shall collect from the consumers, by rule uniform as to classes of business, the sales tax levied upon their business by this Article: Provided, that the Commissioner of Revenue shall have the power to change the regulations and methods under which the merchants shall collect the tax from the consumers, from time to time, as experience may prove expedient and advisable, except that he may not at any time rescind the requirement that the tax be collected from the consumers by uniform rule as herein specified. The power

herein invested in the Commissioner of Revenue shall include the right to provide a stamp tax plan for the consummation of the purpose of this provision. Methods for collecting the tax on sales made by the retail merchants may include plans which require both more and less than three (3%) per cent of the sale price, the purpose being to enable the merchants to collect approximately the amount of three (3%) per cent on their total sales volume which is a license tax on the merchants for the privilege of engaging in business. Such regulations as herein authorized shall be promulgated by the Commissioner of Revenue to become effective after reasonable notice to the retail merchants and when so promulgated they shall have the full force and effect of law. Any merchant who violates such rules and regulations shall be guilty of a misdemeanor and upon conviction shall be fined not less than five (\$5) dollars nor more than five hundred (\$500) dollars or be imprisoned for not less than one day nor more than six months, or be both fined and imprisoned in the discretion of the court: Provided, however, that every such violation shall be a separate offense hereunder'."

"Amend further by striking out the period at the end of section 401, and adding the following: 'In the event the mandatory provisions for collecting the tax from the consumers, incorporated in this Article shall be held to be unconstitutional'."

"Amend Committee Substitute for House Bill 120, section 401, by inserting after the word 'is' in line eighteen, page 227, the following: 'levied primarily as a privilege or license tax for engaging or continuing in the business of merchandising as defined in this act'."

It is recommended that the House concur in the Senate Amendment to section 401, as follows: "Amend section 401 of Committee Substitute for House Bill 120, by adding at the end of said section on page 228, the following: 'It shall be the duty of all public officials of the State, and specifically of the Commissioner of Revenue, to coöperate with the merchants of the State in formulating rules, regulations and practices to effectuate the purpose of this Act as herein declared'."

It is recommended that the House concur in the Senate Amendment to section 403, as follows: "Amend Committee Substitute for House Bill 120, section 403, subsection (a), in line twenty-four, page 229, add between 'expenses' and 'or' the following: 'not inconsistent with the provisions and powers contained in the Executive Budget Act, chapter 100 of the Public Laws of 1929."

It is recommended that the House concur in the Senate Amendment to section 405, as follows: "Amend Committee Substitute for House Bill 120 by striking out Senate Amendments to section 405 and substituting in lieu thereof the following as an addition to section 405: Conditional exemptions: In addition to the exemptions set out in this section there shall also be an exemption of sales by retail merchants, upon conditions hereinafter set out, of the following articles:

"Flour, meal, meat, lard, milk, molasses, salt, sugar and coffee."

It is the intention that this exemption shall apply to these primary and essential articles of food as the words used are commonly understood.

Flour means wheat flour and does not include cereal products other than flour.

Meal means corn meal and not grits, flakes or other cereal products.

Meat includes fresh or cured meats of animals or fish other than shell fish but does not include any specialized products in cans, jars, boxes or carton for the retail trade.

Lard is intended to include articles commonly understood by the use of this term, both from animal fat and vegetable substitutes, but does not include oleomargarine, butter, oils or other like products.

Molasses includes the product commonly understood by that name, and does not include cane, sugar, maple or other syrups.

Milk includes sweet and buttermilk, but does not include canned milk, evaporated milk or other milk products.

Sugar includes plain and granulated sugar as commonly understood and no other sugar products.

Coffee means plain, roasted or ground coffee, as commonly understood, but not coffee substitutes.

The exemption of the articles of food herein enumerated is upon condition that the retail merchant shall keep accurate and separate records of invoices and sales of the exempted articles in such form and detail as may be prescribed by the Department of Revenue, and in any event in such manner that accurate reports may be separately made covering the sale of such conditionally exempted articles, and in such form as may be accurately and conveniently checked by the representatives of the Department of Revenue.

Unless records are kept in such manner as will accurately disclose separate accounting of sales of taxable and nontaxable merchandise the conditional exemptions herein made shall not be allowed, and it shall be the duty of the Commissioner to assess a tax upon the total gross sales, and if records are not kept showing total gross sales it shall be the duty of the Commissioner or agents to assess a tax upon an estimation of sale upon the best information obtainable.

It is recommended that the House concur in the Senate Amendment to section 406, as follows: "Amend section four hundred six of Committee Substitute for House Bill 120 by striking out the House Amendment, page 235."

The Conferees on the part of the House and of the Senate make the following additional recommendations:

That lines 17 to 20 inclusive of section 401 of Article V, page 227, be stricken out and the following substituted in lieu thereof:

"The tax upon the retail sale of merchandise to persons in this State is levied as a license or privilege tax for engaging or continuing in the business of merchandising as defined in this act, but merchants may add to the price of merchandise the amount of the tax on the sale thereof, and when so added shall constitute a part of such price, shall be a debt from purchaser to merchant until paid, and shall be recoverable at law in the same manner as other debts. It is the purpose and intent of this act that the tax levied hereunder shall be added to the sales price of merchandise and thereby be passed on to the consumer instead of being absorbed by the merchant."

That section 103 be amended by inserting a new paragraph between lines 43 and 44, page 42, as follows:

"That upon all performances taxable under this section there is levied, in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in Article V, Schedule E,

of this act upon retail sales of merchandise. The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made, and shall have such authority of supervision as may be necessary to effectuate the purposes of this act."

That section 103 be further amended by striking out of line 45, page 42, the word "that" and inserting in lieu thereof the words "the license tax."

That section 105 be amended by striking out of lines 32 and 33 the words and figures "eighty per cent (80%) of" and by striking out of line 35 of the said section the words and figures "eighty per cent (80%) of."

That section 106 be amended by inserting a new paragraph between lines 121 and 122, page 50, as follows:

"That upon all performances taxable under this section, there is levied, in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in Article V, Schedule (E), of this act upon retail sales of merchandise. The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made and shall have such authority of supervision as may be necessary to effectuate the purpose of this act."

That section 106 be further amended by striking out of line 124, page 50, the word "that" and inserting in lieu thereof the words "the license tax."

That section 107 be amended by inserting a new paragraph between lines 58 and 59, page 53, as follows:

"That upon all performances taxable under this section there is levied, in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in Article V, Schedule E, of this act upon retail sales of merchandise. The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made, and shall have such authority of supervision as may be necessary to effectuate the purposes of this act."

That subsection (c) of section 107 be amended by inserting after the word "amount" in line 61, page 53, the words "of license tax."

That section 151 be amended by striking out of subsection (c), lines 58 to 64 inclusive, the following: "and the failure of such person, firm, or corporation to file with the Revenue Department of the State the original or a copy of the permit of the owner of said land shall authorize the Highway Department of the State of the governing authorities of cities and counties to remove said advertising matter, and a violation of this provision shall constitute a misdemeanor."

That subsection (5) of section 203 be amended by changing the period at the end thereof to a comma and adding the following: "and no city or town shall impose a greater privilege or license tax upon such companies than at which is now imposed by any such city or town."

# Respectfully submitted,

R. A. DOUGHTON,

R. G. CHERRY.

O. B. Moss,

F. E. THOMAS,

W. C. EWING,

(With reservations as I object to sales tax section and rejection of kilowatt hour tax section.)

Conferees on the part of the House.

R. G. RANKIN,

CARL L. BAILEY,

JOHN W. AIKEN,

Conferees on the part of the Senate.

Mr. Doughton moves that the Conference Report be adopted. Upon this, Mr. Bowie calls for the "ayes" and "noes."

The call is sustained and the Conference Report is adopted by the following vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Aycock of Wayne, Beasley, Bender, Boswell, Braddy, Cameron, Cherry, Coffey, Cox, Dees, Doughton of Alleghany, Eagles, Etheridge, Garrou, Graeber, Groves, Hamilton, Howell, Hoyle, Hutchins, James, Martin, Massenburg, Mizzell, Moore, Moss, Murphy, Oaks, O'Berry, Pope, Randolph, Rouse, Ruark, Sigmon, Smith, Stevens, Tatem, Thomas, Thompson of Beaufort, Thompson of Columbus, Warlick, Wilson and Womble—45.

Those voting in the negative are: Messrs. Arndt, Barden, Bean, Bowie, Boyd, Brown, Cowles, Culpepper, Davis, Douglass, Dowtin of Warren, Eaton, Edwards, Ewing, Falkner, Flanagan, Galloway, Gatling, Grant, Haynes, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Mebane, Moye, McEachern, Newman, Ray, Taylor of Halifax, Taylor of Mecklenburg, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, White, Williams, Woodall and Woodfin—40.

The following pairs are announced:

Mr. Crews with Mr. Gattis—were Mr. Gattis present he would vote "no," Mr. Crews would vote "aye."

Mr. Graham with Mr. Grady—were Mr. Grady present he would vote "aye," Mr. Graham would vote "no."

Mr. Olive with Mr. Griffin—were Mr. Griffin present he would vote "aye," Mr. Olive would vote "no."

Mr. Taylor of Currituck with Mr. Berryman—were Mr. Berryman present he would vote "no," Mr. Taylor would vote "aye."

Mr. Tompkins with Mr. Sullivan—were Mr. Sullivan present he would vote "aye," Mr. Tompkins would vote "no."

The Conference Report having been adopted, it is ordered that the adoption of the Conferees' Report shall constitute the first reading of the provisions contained in the Report not appearing in the bill heretofore passed, and the bill and Conference Report is placed on the Calendar for its second reading Roll Call.

## STATEMENT BY MEMBER

As one of the Conferees on the Revenue Bill, I desire to have recorded the fact that I have signed this Conference Committee Report because I believe in majority rule, but I signed it with reservations because I am opposed to a sales tax and object to the rejection of the kilowat hour tax on the power companies.

W. C. Ewing of Cumberland.

Mr. Cherry moves that the House recess until eleven-thirty o'clock tonight, and on this calls for the "ayes" and "noes." The call is sustained and the House stands recessed until eleven-thirty o'clock tonight by the following roll call vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Cameron, Cherry, Coffey, Cowles, Cox, Culpepper, Davis, Doughton of Alleghany, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Flanagan, Galloway, Garrou, Gatling, Graeber, Graham, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Martin, Massenburg, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Randolph, Rouse, Stevens, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Warlick, Wilson, Womble and Woodfin—62.

Those voting in the negative are: Messrs. Bender, Boswell, Brown, Dees, Grant, Lumpkin, Moye, Pope, Ray, Smith, Tompkins, White and Williams—13.

# NIGHT SESSION

House of Representatives, Friday Night, May 5, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1064, A bill to be entitled An act to provide for the collection of delinquent taxes on real estate in Polk County.

For concurrence in the Senate Amendment.

On motion of Mr. Massenburg, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1523, A bill to be entitled An act to repeal Senate Bill 367, ratified April 5, 1933 and Senate Bill 525, ratified April 28, 1933, to prohibit the sale of beer in the village of Macon, Warren County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1529, A bill to be entitled An act relating to official bonds for county or municipal officers in Haywood County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1530, A bill to be entitled An act to regulate appeals from Courts of Justices of the Peace in civil actions in Martin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1535, A bill to be entitled An act authorizing the Board of Commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1540, A bill to be entitled An act authorizing the County Commissioners of Wilkes County to appoint a special police officer to handle the county bloodhound or bloodhounds.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1543, A bill to be entitled An act to regulate the sale of unginned or seed cotton in Beaufort County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1549, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Quaker Children's Home in Moore County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1550, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the village of Highfalls, Moore County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

On motion of Mr. Etheridge, the House adjourns and will meet Saturday morning at 12:05 o'clock a.m.

## ONE HUNDRED SIXTH DAY

House of Representatives, Saturday, May 6, 1933.

The House meets pursuant to adjournment and is called to order by Mr. Speaker Harris.

Prayer by Representative Cameron of Moore County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from Standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Moss, for the Committee on Calendar:

H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

With an unfavorable report, with a minority report attached.

And,

H. B. 1458, A bill to be entitled An act relating to a moratorium on foreclosures of mortgages and deeds of trust.

With a favorable report, as amended.

And

H. B. 1522, A bill to be entitled An act to amend section 4458 of the Consolidated Statutes of North Carolina in regard to penalties for public drunkenness.

And.

H. B. 1554, A bill to be entitled An act to create the Caswell County Historical Commission.

And,

S. B. 627, A bill to be entitled An act to provide for certain special taxes in Rutherford County.

With favorable reports.

# ENGROSSED BILLS

Mr. Taylor of Currituck, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1545, A bill to be entitled An act to repeal House Bill No. 1150, Enrolled and ratified May 1, 1933.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Cameron, by request: H. B. 1561, A bill to be entitled An act to permit Southern Pines Special Charter School District, in Moore County, to supplement its school fund.

Referred to the Committee on Education.

By Mr. Ewing: H. B. 1562, A bill to be entitled An act to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Referred to the Committee on Calendar.

By Messrs. Moss and Watson: H. B. 1563, A bill to be entitled An act to amend H. B. 1464, being "An act to amend Senate Bill 180, the same being 'A bill to be entitled An act to allow the counties, municipalities and other

governing agencies to refund tax sales certificates'," ratified on the 27th day of March, 1933, relative to Nash County.

Placed on the Calendar.

By Messrs. Coffey and Garrou: H. B. 1564, A bill to be entitled An act to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

# MESSAGES FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 663, A bill to be entitled An act to empower the Board of Commissioners of Yancey County to include the expenses of building gymnasium in the general emergency fund.

Referred to the Committee on Calendar.

S. B. 664, A bill to be entitled An act to aid public school teachers in securing, raising and renewing their certificates.

Referred to the Committee on Education,

H. B. 1232, A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 156, A bill to be entitled An act to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without any ad valorem tax therefor.

On motion of Mr. Graham, the bill is placed on the Calendar.

S. R. 661, Joint Resolution calling a joint meeting of the Senate and House of Representatives to elect trustees of the University of North Carolina.

On motion of Mr. Doughton, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 575, A bill to be entitled An act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

Referred to the Committee on Banks and Banking.

S. B. 625, A bill to be entitled An act to repeal chapter 322 of the Public Laws of 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles.

Referred to the Committee on Calendar.

S. B. 637, A bill to be entitled An act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County game laws.

Referred to the Committee on Game.

S. B. 606, A bill to be entitled An act to empower the governing body of the City of Charlotte to relieve churches and synagogues of street and paving assessments.

Referred to the Committee on Judiciary No. 1.

S. B. 613, A bill to be entitled An act to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

Referred to the Committee on Calendar.

S. B. 638, A bill to be entitled An act validating certain tax sales in Mitchell County.

Referred to the Committee on Calendar.

S. B. 639, A bill to be entitled An act for the relief of D. H. Pope.

Referred to the Committee on Calendar.

S. B. 643, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as H. B. No. 158, to exempt from its provisions Guilford County and the municipalities therein.

Referred to the Committee on Calendar.

S. B. 648, A bill to be entitled An act to exempt the members of the Volunteer Fire Department, Roanoke Rapids, Halifax County, from the payment of poll taxes.

Referred to the Committee on Finance.

S. B. 657, A bill to be entitled An act to provide for the City of Goldsboro to accept its bonds in the payment of city taxes.

Referred to the Committee on Calendar.

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1459, A bill to be entitled An act to amend S. B. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1480, A bill to be entitled An act supplemental to S. B. 525, and fixing the period for which license by counties and municipalities to sell beer shall expire.

Placed on the Calendar for concurrence in the Senate Amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as

S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race of Robeson County.

On motion of Mr. Taylor of Mecklenburg, the bill is laid on the Table.

S. B. 635, A bill to be entitled An act authorizing the issuance of notes in exchange for outstanding school vouchers in Sampson County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—71.

Those voting in the negative are: Mr. Olive—1.

H. B. 1537, A bill to be entitled An act providing for certain special tax in Swain County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbûs, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—72.

Those voting in the negative are: None.

S. B. 630, A bill to be entitled An act to provide the regulation and taxation of peddlers in the City of Charlotte, North Carolina.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—72.

Those voting in the negative are: None.

H. B. 1541, A bill to be entitled An act to amend the Charter of the City of Asheville, so as to exclude certain property from the corporate limits thereof.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—72.

Those voting in the negative are: None.

H. B. 1525, A bill to be entitled An act providing for a special levy for special purposes by Hertford County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—72.

Those voting in the negative are: None.

H. B. 1531, A bill to be entitled An act to provide the regulation and taxation of peddlers in the Counties of Cabarrus, Rowan and Davidson.

As amended, the bill passes its third reading by the following vote and is ordered Engrossed.

Those voting in the affirmative are: Mr. Speaker, Messrs, Arndt, Aycock of Wayne, Barden, Bean, Bowie, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Cox, Crews, Culpepper, Davis, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graeber, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Lumpkin, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Murphy, McEachern, Newman, Oaks, O'Berry, Olive, Pope, Randolph, Rouse, Ruark, Sigmon, Tatem, Taylor of Currituck, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Iredell, Warlick, Watson, Wilson, Womble and Woodfin—72.

Those voting in the negative are: None.

Substitute for H. B. 120, with Conference Report, A bill to be entitled An act to raise revenue.

The question recurs upon the passage of the substitute bill with the conference report, heretofore adopted, on its second reading roll call.

The substitute bill, with the conference report, passes its second reading by the following vote and takes its place on the Calendar for its third reading roll call.

Those voting in the affirmative are: Mr. Speaker, Messrs. Barden, Cameron, Cherry, Coffey, Cox, Doughton of Alleghany, Eagles, Garrou, Graeber, Greer, Groves, Haynes, Howell, Hutchins, James, Makepeace, Martin, Massenburg, Moore, Morphew, Moss, Murphy, McEachern, Oaks, O'Berry, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Warlick, Wilson and Womble—39.

Those voting in the negative are: Messrs. Bean, Bowie, Boyd, Brown, Cowles, Culpepper, Douglass, Dowtin of Warren, Edwards, Ewing, Galloway, Gardner, Garibaldi, Grant, Ingram, Johnson of Chatham, Lumpkin, Mebane, Taylor of Mecklenburg, Turner of Iredell and Woodfin—21.

The following pairs are announced:

Mr. Arndt present, with Mr. Hamilton absent—were Mr. Hamilton present he would vote "aye," Mr. Arndt would vote "no."

Mr. Aycock of Wayne present, with Mr. Williams absent—were Mr. Aycock present he would vote "aye," Mr. Williams would vote "no."

Mr. Braddy present, with Mr. Falkner absent—were Mr. Falkner present he would vote "no," Mr. Braddy would vote "aye."

Mr. Cover present, with Mr. Stevens absent—were Mr. Stevens present he would vote "aye," Mr. Cover would vote "no."

Mr. Crews present, with Mr. Gattis absent—were Mr. Gattis present he would vote "no," Mr. Crews would vote "aye."

Mr. Davis present, with Mr. Monroe absent—were Mr. Monroe present he would vote "aye," Mr. Davis would vote "no."

Mr. Etheridge present, with Mr. Turner of Guilford absent—were Mr. Turner present he would vote "no," Mr. Etheridge would vote "aye."

Mr. Gatling present, with Mr. Dees absent—were Mr. Dees present he would vote "aye," Mr. Gatling would vote "no."

Mr. Graham present, with Mr. Graddy absent—were Mr. Grady present he would vote "aye," Mr. Graham would vote "no."

Mr. Hoyle present, with Mr. McLauchlin absent—were Mr. McLauchlin present he would vote "no," Mr. Hoyle would vote "aye."

Mr. Johnson of Pender present, with Mr. Smith absent—were Mr. Smith present he would vote "aye," Mr. Johnson would vote "no."

Mr. Mizzell present, with Mr. Woodall absent—were Mr. Woodall present he would vote "no," Mr. Mizzell would vote "aye."

Mr. Newman present, with Mr. Beasley absent—were Mr. Beasley present he would vote "aye," Mr. Newman would vote "no."

Mr. Olive present, with Mr. Griffin absent—were Mr. Griffin present he would vote "aye," Mr. Olive would vote "no."

Mr. Tatem present, with Mr. Vann absent—were Mr. Vann present he would vote "no," Mr. Tatem would vote "aye."

Mr. Thompson of Columbus present, with Mr. Flanagan absent—were Mr. Flanagan present he would vote "no," Mr. Thompson would vote "aye."

Mr. Watson present, with Mr. Bender absent—were Mr. Bender present he would vote "aye," Mr. Watson would vote "no."

Mr. Thompson of Robeson present, with Mr. Aycock of Wake absent—were Mr. Aycock of Wake present he would vote "aye," Mr. Thompson of Robeson would vote "no."

On motion of Mr. Barden, the House adjourns, and will meet Monday night at 8 o'clock p.m.

## ONE HUNDRED SEVENTH DAY

House of Representatives, Monday Night, May 8, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. O. L. Riggs of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Doughton, for the Committee on Finance:

S. B. 648, A bill to be entitled An act to exempt the members of the Volunteer Fire Department of Roanoke Rapids, Halifax County, from the payment of poll tax.

And,

H. B. 1477, A bill to be entitled An act to amend sections 8037 and 8037 (a½) of the Consolidated Statutes of North Carolina, relating to the foreclosure of tax sale certificates.

And.

H. B. 1515, A bill to be entitled An act relating to license fees for motor vehicles for the balance of the year 1933.

With unfavorable reports.

And.

H. B. 1500, A bill to be entitled An act to amend chapter 260, Public Laws, 1931, and chapter 204, Public Laws, 1929, relating to tax sales.

And,

S. B. 632, A bill to be entitled An act supplemental to and amendatory of Senate Bill 180, it being An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates, and ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein.

With favorable reports.

## SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 654, A bill to be entitled An act to prohibit the sale of beverages within two miles of the Administrative Building of Campbell College, Town of Buie's Creek Township, in Harnett County.

On motion of Mr. Young, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 665, A bill to be entitled An act to prohibit the exhibition of any free medicine show or like performance in Catawba County.

Referred to the Committee on Calendar.

S. B. 666, A bill to be entitled An act requiring the governing body and election officials of the Town of Andrews, Cherokee County, to hereafter comply with the General Election Laws of North Carolina in calling and holding elections for the election of mayor and members of the board of alderman.

On motion of Mr. Cover, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 667, A bill to be entitled An act relating to the public officers of Northampton County.

Referred to the Committee on Calendar.

H. B. 756, A bill to be entitled An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

For concurrence in the Senate Amendment.

On motion of Mr. Randolph, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 656, A bill to be entitled An act to exempt the Town of Bakersville, Mitchell County, from the provisions of Senate Bill 367, relating to the sale of beer, spiritus frumenti or other intoxicants.

Referred to the Committee on Calendar.

S. B. 658, A bill to be entitled An act relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and to abolish the office of Treasurer-Tax Collector of said County.

On motion of Mr. Hutchins, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 659, A bill to be entitled An act to repeal chapter 40, Private Laws of 1874-75, repealing the Charter of the Town of Morrisville, Wake County.

Referred to the Committee on Calendar.

S. B. 660, A bill to be entitled An act to appoint a cotton weigher for the Town of Stanfield in Stanly County, North Carolina.

Referred to the Committee on Calendar,

H. B. 1349, A bill to be entitled An act to amend chapter 149 of the Private Laws of North Carolina, Session 1931, being "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties."

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1463, A bill to be entitled An act to fix the salary of the Register of Deeds of Yancey County.

For concurrence in the Senate Amendment.

On motion of Mr. Hutchins, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1517, A bill to be entitled An act to prohibit the sale of beverages within the corporate limits of Montreat, Mars Hill and the Association Grounds of the Baptist Assembly at Ridge Crest, in Buncombe County.

For concurrence in the Senate Amendment.

On motion of Mr. Sullivan, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 614, A bill to be entitled An act to fix the terms of office of the Board of Education in Mitchell County.

Referred to the Committee on Calendar.

S. B. 631, A bill to be entitled An act relating to tax penalties in the County of Cumberland.

Referred to the Committee on Calendar.

S. B. 647, A bill to be entitled An act to allocate Union Township, Robeson County, to the proper Recorder's Court and Commissioner's Districts.

Referred to the Committee on Calendar.

S. B. 651, A bill to be entitled An act to amend the law regulating the sale of alcoholic beverages near Guilford College.

Referred to the Committee on Calendar,

S. B. 670, A bill to be entitled An act to define the powers and duties of the Board of Revaluation and Review of Yancey County.

On motion of Mr. Hutchins, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports that we have carefully considered the following bills and resolutions, found them properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County.

H. B. 1531, A bill to be entitled An act to provide the regulation and taxation of peddlers in the Counties of Cabarrus and Davidson.

H. B. 1549, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverages within one and one-half miles of the Quaker Children's Home in Moore County. (Applicable also to Wingate Junior College in Union County.)

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Neal: H. R. 1565, Joint Resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on Route 91 across Wilkerson's Creek in Hyde County.

Referred to the Committee on Calendar.

By Mr. Wilson: H. B. 1566, A bill to be entitled An act to reënact chapter 430 of the Public-Local Laws of 1925, and to require the Clerk of the Superior Court and the Register of Deeds to keep their offices open during office hours, relating to Caswell County.

Referred to the Committee on Calendar.

By Messrs. Brawley and Everett: H. B. 1567, A bill to be entitled An act to change the hours when the polls shall open and close in all city elections to be held in the City of Durham.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1568, A bill to be entitled An act to amend House Bill No. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, "ratified March 13, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Taylor of Mecklenburg: H. B. 1569, A bill to be entitled An act to amend chapter 120, Public Laws of North Carolina, Session 1929, and the Acts amendatory thereof or supplementary thereto by exempting Mecklenburg County from the provisions thereof.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Oaks: H. B. 1570, A bill to be entitled An act to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Phillips: H. B. 1571, A bill to be entitled An act to abolish the office of Auditor of Stokes County and amend chapter 483, Public-Local Laws, 1931, relating to clerk hire for Clerk of the Superior Court of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hamilton: H. B. 1572, A bill to be entitled An act to authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearings, to relieve church properties of special assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Allen: H. B. 1573, A bill to be entitled An act to exempt Granville County from the provisions of House Bill 660, ratified April 10, 1933, relating to application of fees in criminal cases to the payment of taxes.

Passed first reading.

Rules suspended.

As amended, the bill passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Howell: H. B. 1574, A bill to be entitled An act incorporating Haywood, Cherokee, Jackson and Avery counties under the provisions of H. B. 1321.

Passed first reading.

Rules suspended.

Passes its second reading, and remains on the Calendar.

By Mr. Tompkins: H. B. 1575, A bill to be entitled An act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.

Placed on the Calendar.

By Mr. Boyd: H. B. 1576, A bill to be entitled An act to authorize and empower the Board of County Commissioners of Mecklenburg County to refund certain taxes erroneously paid.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Gardner and Bowie: H. B. 1577, A bill to be entitled An act to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Doughton: H. B. 1578, A bill to be entitled An act to amend An act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses," and being Committee Substitute for House Bill No. 446.

Placed on the Calendar.

By Mr. Johnson of Pender: H. B. 1579, A bill to be entitled An act supplemental to Senate Bill 180, it being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Referred to the Committee on Calendar.

By Mr. Etheridge: H. B. 1580, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage in Stumpy Point Voting Precinct, Dare County.

Referred to the Committee on Calendar.

By Mr. Coffey: H. B. 1581, A bill to be entitled An act to amend chapter 266, Private Laws of North Carolina, Session, 1923, relating to the water system of the Town of Lenoir.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Thompson of Beaufort and Berryman: H. B. 1582, A bill to be entitled An act to amend chapter 196 of the Public Laws, 1913, and to repeal chapter 87 of the Public Laws, 1931, relating to terms of court in Chowan and Beaufort counties.

Placed on the Calendar.

By Mr. Sullivan: H. B. 1583, A bill to be entitled An act to regulate and fix the salaries of employees engaged in the liquidation of insolvent banks. Placed on the Calendar.

By Mr. Allen: H. B. 1584, A bill to be entitled An act to amend House Bill 158, ratified March 13, 1933, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and the municipalities therein.

Referred to the Committee on Calendar,

By Mrs. Mebane: H. B. 1585, A bill to be entitled An act to amend chapter 415, Public-Local Laws, 1915, relative to the Recorder's Court of Leaksville Township, Rockingham County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Olive: H. B. 1586, A bill to be entitled An act validating notes of the City of Thomasville and the City of Lexington.

Placed on the Calendar.

By Mr. Boyd: H. B. 1587, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158; to amend Tax Sales Certificates Refunding Act of 1933, known as Senate Bill No. 180; and to exempt from the provisions of each of said acts Mecklenburg County and the municipalities therein; and to amend Delinquent Taxpayers Act of Mecklenburg County, known as Senate Bill No. 175.

Referred to the Committee on Calendar.

By Mr. Scarborough: H. B. 1588, A bill to be entitled An act to allow the Towns of Rockingham and Ellerbe to accept their respective bonds in payment of past-due taxes.

Placed on the Calendar.

#### CONFERENCE REPORT

To the Senate and House of Representatives:

We, the undersigned Conferees appointed by the Senate and by the House of Representatives to consider the differences arising over Senate Bill No. 493, respectfully submit the following report and recommendation:

That the House of Representatives recede from the amendment adopted by it to the above-mentioned original bill.

Respectfully submitted,

J. R. Young,

W. W. NEAL,

Conferees on the part of the House of Representatives.

W. H. JOYNER,

E. W. SUMMERSILL,

Conferees on the part of the Senate.

On motion of Mr. White, the House fails to adopt the Conference Report, and the Conference Committee is discharged. The Senate is so notified.

### CONFERENCE REPORT

To the President of the Senate and Speaker of the House of Representatives:

Your Conferees appointed to adjust the differences between the Senate and House of Representatives on Senate Bill No. 121, report and recommend that the Senate do concur in the House Amendment and approve the bill as passed by the House.

Respectfully submitted,

R. M. HANES,

J. C. Dempsey,

Conferees on behalf of the Senate.

R. G. Johnson,

H. L. TAYLOR,

J. C. MARTIN,

Conferees on behalf of the House of Representatives.

On motion of Mr. Taylor of Mecklenburg, the Conference Report is adopted, and the Senate is so notified, to the end that if they adopt a similar report they may order the bill Enrolled.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1554, A bill to be entitled An act to create the Caswell County Historical Commission.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1563, A bill to be entitled An act to amend House Bill 1464, being "An act to amend Senate Bill 180, the same being 'A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates,' ratified on the 27th day of March, 1933," relative to Nash County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 968, A bill to be entitled An act to provide for competitive bidding for construction or repair work, or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina, or the subdivisions thereof.

For concurrence in the Senate Amendment.

On motion of Mr. Boyd, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1232, A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina.

For concurrence in the Senate Amendments.

On motion of Mr. Moye, the House fails to concur in the Senate Amendments, and a conference committee is asked for. The Speaker appoints as Conferees, Messrs. Moye, Arndt, Thompson of Beaufort, and the Senate is so notified.

H. B. 1459, A bill to be entitled An act to amend Senate Bill No. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

For concurrence in the Senate Amendment.

On motion of Mr. Young, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1480, A bill to be entitled An act supplemental to S. B. 525, and fixing the period for which license by counties and municipalities to sell beer shall expire.

For concurence in the Senate Amendment.

On motion of Mr. Murphy, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1518, A bill to be entitled An act to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the Public Health Law, so as to make further provisions for the creation and maintenance of sanitary districts and policing the same.

As amended, passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

S. B. 630, A bill to be entitled An act to provide the regulation and taxation of peddlers in the City of Charlotte.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

S. B. 627, A bill to be entitled An act to provide for certain special taxes in Rutherford County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

H. B. 1525, A bill to be entitled An act providing for a special levy for special purposes by Hertford County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bender, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cover, Crews, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Edwards, Etheridge, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Groves, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, McLauchlin, Neal, Oaks, O'Berry, Olive, Phillips, Pope, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Warlick, Watson, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

Substitute for H. B. 120, with Conference Report, a bill to be entitled An act to raise revenue.

The question now recurs upon the passage of the Substitute Bill, with the Conference Report heretofore adopted on its third reading.

Mr. Bowie sends forward the following amendment:

Amend House Bill 120, Article 5, Schedule E, section 401, beginning with line 17 by striking out the recommendation contained in the Conference Committee Report for insertion at said point, and reinserting the language contained in the bill as it passed both the House and Senate; namely, "The consumer's tax upon the retail sale of merchandise to persons in this State is intended as a tax upon consumers, to be added to the sales price of merchandise, and not as an additional tax to be absorbed by retail merchants," and amend further by adding after the word "merchants" the mandatory amendment for passing on the tax as adopted by the Senate as follows: "In order to make this purpose effective, the Commissioner of Revenue is empowered and directed to devise, promulgate and enforce regulations under which the retail merchants shall collect from the consumers, by rule uniform as to classes of business, the sales tax levied upon their business by this article: Provided, that the Commissioner of Revenue shall have the power to change the regulations and methods under which the merchants shall collect the tax from the consumers, from time to time, as experience may prove expedient and advisable, except that he may not at any time rescind the requirement that the tax be collected from the consumers by uniform rule as herein specified. The power herein invested in the Commissioner of Revenue shall include the right to provide a stamp tax plan for the consummation of the purpose of this provision. Methods for collecting the tax on sales made by the retail merchants may include plans which require both more and less than three (3%) per cent of the sale price, the purpose being to enable the merchants to collect approximately the amount of three (3%) per cent on their total sales volume. Such regulations as herein authorized shall be promulgated by the Commissioner of Revenue to become effective after reasonable notice to the retail merchants and when so promulgated they shall have the full force and effect of law. Any merchant who violates such rules and regulations shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5) nor more than five hundred dollars (\$500) or be imprisoned for not less than one day nor more than six months, or be both fined and imprisoned in the discretion of the court; provided, however, that every such violation shall be a separate offense hereunder."

The Chair rules the amendment out of order.

Mr. Doughton calls the previous question. The call is sustained, and the Substitute for H. B. 102, with the Conference Report, passes its third reading by the following vote and is ordered sent to the Senate.

Those voting in the affirmative are: Mr. Speaker, Messrs. Aycock of Wake, Barden, Bender, Boswell, Braddy, Cameron, Cherry, Coffey, Cox, Crews, Dees, Doughton of Alleghany, Eagles, Etheridge, Everett, Garrou, Greer, Groves, Hamilton, Howell, Hoyle, Hutchins, James, Massenburg, Mizzell, Morphew, Moss, Moye, Murphy, McEachern, Neal, Oaks, O'Berry, Phillips, Pope,

Randolph, Ray, Rouse, Ruark, Smith, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Warlick, White, Wilson and Womble—53.

Those voting in the negative are: Messrs. Allen, Arndt, Binford, Bowie, Boyd, Brown, Cover, Cowles, Douglass, Dowtin of Warren, Edwards, Ewing, Falkner, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Grant, Haynes, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Mebane, McLauchlin, Newman, Olive, Scarborough, Spruill, Sullivan, Taylor of Mecklenburg, Tompkins, Turner of Iredell, Vann, Watson, Woodall, Woodfin and Young—41.

The following pairs are announced:

Mr. Culpepper with Mr. Martin—were Mr. Martin present he would vote "aye," Mr. Culpepper would vote "no."

Mr. Graham with Mr. Grady—were Mr. Grady present he would vote "aye," Mr. Graham would vote "no."

Mr. Moore with Mr. Lee—were Mr. Lee present he would vote "no," Mr. Moore would vote "aye."

### STATEMENTS BY MEMBERS

Pursuant to section 17 of Article II of the Constitution, I, the undersigned Representative, do solemnly dissent from and protest to certain features incorporated in the Revenue Bill for the Session 1933, that is to say: (1) That section relating to exempting certain articles under the sales tax, for the reason that these exemptions will be prejudicial and unjust to the independent merchants of the State, giving the various chain stores every advantage in competition, because practically all sales made by said chain stores will be covered by the exemptions under said tax section; (2) For the reason that the mandatory clause which required the merchants to pass on the sales tax was stricken out; (3) Because it will practically destroy those merchants who make sales for five and ten cents only.

I have always been against the principle of any type of sales taxes, but, because it is necessary to raise revenue with which to maintain the various departments of the State and to keep intact the credit of the State, I finally came to the conclusion to vote for this Revenue Bill as adopted by the Conference Committee.

J. S. Massenburg, Representative from Polk County.

Mr. Thompson of Robeson, in voting for the Revenue Bill on its third reading, made the following statement, and asked that it be spread in the Journal:

Mr. Speaker, I am at last convinced that the measure now before us, as written, is the Revenue Bill of 1933. I vote for it, not that I am in favor of every item in the bill, but that I am in favor of most of the items, and I do not care to be placed in the position of voting against these numerous items which I heartly favor just because the bill as a whole contains objectionable sections.

As long as there was a chance to change it, I voted against it. I voted against adoption of the Conference Report, hoping the bill might be re-

turned to conference and that further concessions might be had from the Senate, which august Body struck out items I thought should remain, and changed items which should not have been changed. On second reading I also voted against the bill, still hoping there was a faint chance to send the bill back to conference.

If there remained a shadow of a chance that the bill could still be sent back for further concessions on the part of the Senate, I would still vote "no." But I am now convinced that the majority is for the bill as it stands and that it will not be changed. It is the Revenue Bill. I vote for it because it carries in the main items of revenue which I favored and supported and which I wish to vote for in order to balance the budget. The bill contains some items which I do not approve, but the record will show that I voted consistently and persistently against these items and voted consistently and persistently to substitute items which I preferred.

From the beginning of my campaign until this hour, I have been strongly in favor of balancing the Budget, and I cannot now refuse the opportunity of voting for the Revenue Bill.

MARSHALL A. THOMPSON.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 333, An act to amend the Preamble and the several sections of the Constitution of North Carolina.

S. B. 398, An act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof; creating a State board of housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

S. B. 548, An act to incorporate the North Carolina State Thrift Society.

S. B. 596, An act to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the Board of School Trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

S. B. 599, An act to amend Senate Bill 451, ratified April 24, 1933, same being entitled "An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes."

S. B. 635, An act authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County.

- S. B. 640, An act to place the Sheriff of Wilson County on a salary and to authorize the Board of County Commissioners to fix the amount thereof.
- S. B. 644, An act to amend section 3, chapter 21, of the Private Laws of 1931, in respect to the city government of Monroe.
- S. B. 645, An act to authorize the City of Winston-Salem to accept certain bonds in payment of taxes, special assessments and other dues.
- S. B. 646, An act to legalize mass meetings in the Town of Roxboro for the purpose of nominating municipal officers; and to regulate the printing and use of official ballots in said Town.
- S. R. 661, A Joint Resolution calling a joint meeting of the Senate and House of Representatives to elect trustees of the University of North Carolina.
- H. B. 853, An act to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County.
- H. B. 1064, An act to provide for the collection of delinquent taxes on real estate in Polk County.
- H. B. 1221, An act to extend the period for commencement of actions on certain evidences of indebtedness in Carteret County.
- H. B. 1316, An act to amend House Bill No. 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the Clerk of the Superior Court of Franklin County.
- H. B. 1350, An act to release church property in the Town of Boone, Watauga County, from the payment of street and sidewalk paving assessments.
- H. B. 1364, An act to fix the salary of the Clerk of the Superior Court of Columbus County.
- H. B. 1366, An act relating to teachers of vocational education in Columbus County.
- H. B. 1367, An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County.
- H. B. 1375, An act to provide for the nomination of candidates for the office of county commissioner of Pasquotank County by the qualified voters of the entire County.
- H. B. 1381, An act supplemental to and amendatory of House Bill 990, it being "An act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard," ratified March 30, 1933.
- H. B. 1386, An act to aid the collection of back taxes in the City of Hendersonville
- H. B. 1403, An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, to exempt from its provisions Alamance County and the municipalities therein.
- H. B. 1409, An act to release church property in the Town of Benson, Johnston County, from the payment of street and sidewalk paving assessments.

- H. B. 1417, An act to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the selection of county commissioners.
- H. B. 1454, An act to encourage the enforcement of the Turlington Act in Franklin County.
- H. B. 1457, An act to make certain photosatic copies of map books in Harnett County admissible as evidence in all courts for the said County.
- H. B. 1464, An act to amend Senate Bill 180, the same being "A bīll to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.
- H. B. 1483, An act to provide for a new registration of the voters of the City of Raleigh before the next municipal election.
- H. B. 1488, An act to consolidate the Townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the County Board of Commissioners and one member of the County Board of Education from such consolidated Township.
- H. B. 1493, An act to amend Article 3, section 2365 of the Consolidated Statutes relative to removal of tenants in certain cases. (Applicable to Johnston County only.)
- H. B. 1165, An act to repeal chapter 171, Private Laws of 1923, appointing trustees for School District No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the Clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said Township.
- H. B. 1505, An act to regulate the issuance of criminal processes out of the Justice of the Peace Courts for Richmond County.
- H. R. 1512, Joint Resolution appointing Mrs. Robert Cabell a member of the Bennett Place Memorial Commission to succeed her mother, the late Mrs. Sallie Tate Morgan.
- H. B. 1514, An act to provide for the appointment of a court stenographer for Pitt County.
- H. B. 1519, An act to amend House Bill No. 1022, ratified March 27, 1933, entitled, "An act to regulate the duties of Sheriff of Edgecombe County and establish office of tax collector of Edgecombe County."
- H. B. 1521, An act to amend chapter 441 of Public Laws of 1931, regarding levying of special taxes in certain counties so as to include Union.
- H. B. 1528, An act supplemental to and amendatory of Senate Bill No. 385, it being entitled, "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the Police Courts in the Town of Canton, Haywood County."
- H. B. 1532, An act to amend chapter 228, Public-Local Laws of 1917, relating to the office of County Treasurer of Yadkin County.
- H. B. 1559, An act to amend Senate Bill 180, of the Session of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, so as to include Union County in section 14 thereof.
- H. R. 1560, A Joint Resolution making the Chickadee the official bird of North Carolina.

On motion of Mr. White, S. B. 493, A bill to be entitled An act for the relief of taxpayers of Gaston, Jackson, Occoneechee, and Rich Square townships in Northampton County, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Doughton, the House adjourns and will meet tomorrow at 10:00 o'clock a.m.

## ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES, TUESDAY, May 9, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. C. J. Hollandsworth of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Ewing, for the Committee on Conservation and Development:

H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

With a favorable report, as amended.

And.

H. B. 854, A bill to be entitled An act to amend chapter 476, Public-Local Laws of 1929, relating to fishing in Yancey County.

And.

H. B. 1336, A bill to be entitled An act to amend chapter 1, Public Laws, 1921, relating to and regulating the practice of engineering and land surveying.

And,

H. B. 353, A bill to be entitled An act to amend chapter 335 of the Public Laws of 1929, repealing resident license requirements for fishing in the waters of Clay County, North Carolina.

And,

- H. B. 237, A bill to be entitled An act to amend section 4, chapter 335, Public Laws, 1929, relating to resident fishing licenses in Cherokee County. And,
- H. B. 596, A bill to be entitled An act to exempt Greene County from certain restrictions relative to fishing in Greene County.

And.

H. B. 673, A bill to be entitled An act to permit fishing for carp and catfish at any time in Stokes County.

And.

H. B. 1429, A bill to be entitled An act to permit citizens of Transylvania County to fish in the French Broad River without procuring a license therefor.

With unfavorable reports.

By Mr. Moss, for the Committee on Calendar:

S. B. 663, A bill to be entitled An act to empower the Board of Commissioners of Yancey County to include the expenses of building gymnasium in the general emergency fund.

And,

H. B. 1443, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

And,

H. R. 1565, Joint Resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on Route 91 across Wilkerson's Creek in Hyde County.

And.

H. B. 1444, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

And,

S. B. 631, A bill to be entitled An act relating to tax penalties in the County of Cumberland.

And,

S. B. 625, A bill to be entitled An act to repeal chapter 322 of the Public Laws of 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles.

And.

S. B. 638, A bill to be entitled An act validating certain tax sales in Mitchell County.

And,

H. B. 1562, A bill to be entitled An act to amend House Bill 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

And.

S. B. 613, A bill to be entitled An act to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

And.

S. B. 614, A bill to be entitled An act to fix the terms of office of the Board of Education in Mitchell County.

And.

S. B. 660, A bill to be entitled An act to appoint a cotton weigher for the Town of Stanfield in Stanly County, North Carolina.

And,

S. B. 665, A bill to be entitled An act to prohibit the exhibition of any free medicine show or like performance in Catawba County.

And,

S. B. 667, A bill to be entitled An act relating to the public officers of Northampton County.

And,

S. B. 656, A bill to be entitled An act to exempt the Town of Bakersville, Mitchell County, from the provisions of Senate Bill No. 367, relating to the sale of beer, spirituous frumenti or other intoxicants.

And.

H. B. 1566, A bill to be entitled An act to reënact chapter 430 of the Public-Local Laws of 1925, and to require the Clerk of the Superior Court and the Register of Deeds to keep their office open during office hours, relating to Caswell County only.

And,

H. B. 1580, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage in Stumpy Point Voting Precinct, Dare County.

And,

H. B. 1584, A bill to be entitled An act to amend H. B. 158, ratified March 13, 1933, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Granville County and the municipalities therein.

And,

S. B. 643, A bill to be entitled An act to amend the Tax Foreclosure act of 1933, known as House Bill No. 158, to exempt from its provisions Guilford County and the municipalities therein.

And,

S. B. 647, A bill to be entitled An act to allocate Union Township, Robeson County, to the proper recorder's court and commissioner's district. And.

S. B. 651, A bill to be entitled An act to amend the law regulating the sale of alcoholic beverages near Guilford College.

With favorable reports.

And,

S. B. 606, A bill to be entitled An act to empower the Governing Body of the City of Charlotte to relieve churches and synagogues of street and paving assessments.

With unfavorable report.

And.

H. B. 1587, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158; to amend Tax Sales Certificates Refunding Act of 1933, known as Senate Bill 180; and to exempt from the provisions of each of said Acts Mecklenburg County and the municipalities therein; and to amend Delinquent Taxpayers Act of Mecklenburg County, known as Senate Bill No. 175.

With a favorable report.

On motion of Mr. Boyd, the bill is placed on its immediate passage.

The bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1539, A bill to be entitled An act to authorize the governing bodies of the City of Salisbury and the Town of Spencer to cancel assessments against all churches located in said Cities.

With a favorable report.

On motion of Mr. Bean, the bill is placed on its immediate passage.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

S. B. 657, A bill to be entitled An act to provide for the City of Goldsboro to accept its bonds in the payment of city taxes.

With a favorable report.

On motion of Mr. O'Berry, the bill is placed on its immediate passage.

An amendment offered by Mr. O'Berry is adopted.

As amended, the bill passes its second and third readings and is ordered sent to the Senate for concurrence in House Amendment.

And.

S. B. 659, A bill to be entitled An act to repeal chapter 40, Private Laws of 1874-1875, repealing the Charter of the Town of Morrisville, Wake County.

With a favorable report.

On motion of Mr. Douglass, the bill is placed on its immediate passage. The bill passes its second and third readings and is ordered Enrolled.

On motion of Mr. Hutchins, S. B. 658, A bill to be entitled An act, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and to abolish the office of Treasurer-Tax Collector of said County, is ordered recalled from the Enrolling office for further consideration by the House.

The bill having been recalled from the Enrolling office, on motion of Mr. Hutchins, the vote by which the bill passed its third reading is reconsidered and the bill is placed on the Calendar for its further consideration.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Thomas: H. B. 1589, A bill to be entitled An act to amend An act ratified January 27, 1933, entitled "An act to expedite the trial of criminal cases and to dispense with jury trial therein."

Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1590, A bill to be entitled An act to appoint a tax collector for Columbus County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1591, A bill to be entitled An act to appoint an auditor for Columbus County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Moss and Watson: H. B. 1592, A bill to be entitled An act appointing a cotton weigher for the Town of Spring Hope in Nash County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ruark: H. B. 1593, A bill to be entitled An act to authorize the Auditor or Accountant of Brunswick County to employ assistance when deemed necessary.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Graham and Thompson of Robeson: H. B. 1594, A bill to be entitled An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Culpepper: H. B. 1595, A bill to be entitled An act authorizing postponement of sales for certain delinquent taxes and special assessments. Referred to the Committee on Calendar.

By Messrs. Moss and Watson: H. B. 1596, A bill to be entitled An act supplemental to and amending House Bill No. 924, "A bill to be entitled An act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County," ratified March 15, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Randolph, Ingram, Cover and Morphew: H. B. 1597, A bill to be entitled An act to amend chapter 273, Public Laws 1929, relating to jurisdiction of Justices of the Peace to try certain criminal cases involving worthless checks, placing the Counties of Swain, Clay, Graham, Macon and Cherokee under the provisions of said act.

Passed first reading.

Rules suspended.

As amended, the bill passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Mr. Woodall: H. B. 1598, A bill to be entitled An act to empower the Board of Commissioners of City of Smithfield, Johnston County, to relieve churches of paving assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1599, A bill to be entitled An act to amend S. B. 180, now chapter 181, Public Laws 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," relating to costs in tax sales in Johnston County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Ewing, Spruill and Taylor of Mecklenburg: H. B. 1600, A bill to be entitled An act establishing the valuation placed upon public utilities for the fixing of rates for such public utilities as being prima facie the correct valuation of such utilities for the purposes of taxation.

Referred to the Committee on Regulation of Public Service Corporations. By Mr. Grant: H. B. 1601, A bill to be entitled An act to amend chapter 113, Public Laws 1927, relating to distribution of the assets of insolvent banks.

Referred to the Committee on Calendar.

By Mr. Cox: H. B. 1602, A bill to be entitled An act to amend section 6108 of the Consolidated Statutes, transferring the Enrolling Office from the Secretary of State to the General Assembly.

Placed on the Calendar.

By Mr. Hamilton: H. B. 1603, A bill to be entitled An act, relating to and providing for settlement between counties and the State in certain cases where counties are in default on account of loans made out of the literary fund and/or the special building funds.

Referred to the Committee on Calendar.

By Mr. Turner of Guilford: H. B. 1604, A bill to be entitled An act to repeal Senate Bill No. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

Referred to the Committee on Calendar.

By Mr. Makepeace: H. B. 1605, A bill to be entitled An act to authorize the Town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.

Placed on the Calendar.

By Mr. Haynes: H. B. 1606, A bill, to be entitled An act to abolish the Recorder's Court of Elkin, Surry County.

Placed on the Calendar.

By Messrs. Thompson of Robeson and Graham: H. B. 1607, A bill to be entitled An act to prohibit the setting of steel traps in Robeson County.

Placed on the Calendar.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 677, A bill to be entitled An act to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said Act.

Referred to the Committee on Calendar.

S. B. 671, A bill to be entitled An act to amend H. B. 1059 which is entitled "Aff act providing for the working of prisoners on the streets of the Town of Maiden in Catawba County, North Carolina." (Applicable also to the Town of Conover.)

Referred to the Committee on Calendar.

S. B. 672, A bill to be entitled An act to authorize the issuance of scrip in Iredell County.

Referred to the Committee on Calendar.

S. B. 673, A bill to be entitled An act to authorize the issuance of scrip by the City of Statesville.

Referred to the Committee on Calendar.

S. B. 674, A bill to be entitled An act supplemental to and amendatory of S. B. 593, it being "An act to amend the Charter of the Town of Morganton, providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.

Referred to the Committee on Calendar.

S. B. 555, A bill to be entitled An act to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution. Referred to the Committee on Calendar.

S. B. 642, A bill to be entitled An act to release church property in the Town of East Flat Rock, Henderson County, from the payment of street and sidewalk paying and sewerage assessments.

Referred to the Committee on Calendar.

S. B. 668, A bill to be entitled An act to authorize the issuance of scrip by the City of Asheville.

Referred to the Committee on Calendar.

S. B. 669, A bill to be entitled An act to authorize the issuance of scrip by the County of Buncombe.

Referred to the Committee on Calendar.

S. B. 662, A bill to be entitled An act relating to funding and refunding bonds of Guilford County.

Placed on the Calendar.

SPECIAL MESSAGES

SENATE CHAMBER, May 9, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, requesting the return of H. B. 658, title "Relating to the fees of the Clerk of the Court of Mitchell County, and the salary of the Sheriff and to abolish the office of Treasurer-Tax Collector of said County," for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Hutchins, the bill is ordered returned to the Senate.

Mr. Speaker:

SENATE CHAMBER, May 9, 1933.

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Fuller and McNeill of Cumberland to act as conferees with your appointees to consider the difference arising on H. B. No. 1232, title "To appoint justices of the peace for the several counties of North Carolina," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 9, 1933.

Mr. Speaker:

Pursuant to a Joint Resolution, passed by the Senate and House of Representatives, and in accordance with your message, the Senate at the hour of twelve o'clock noon will enter the Hall of the House of Representatives for the purpose of sitting in Joint Session with your Honorable Body to elect trustees of the University of North Carolina.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

# CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1582, A bill to be entitled An act to amend chapter 196 of the Public Laws, 1913, and to repeal chapter 87 of the Public Laws, 1931, relating to terms of court in Chowan and Beaufort counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1588, A bill to be entitled An act to allow the Towns of Rockingham and Ellerbe to accept their respective bonds in payment of past-due taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 632, A bill to be entitled An act supplemental to and amendatory of Senate Bill 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," and ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein.

Passes its second and third readings, and is ordered Enrolled.

S. B. 589, A bill to be entitled An act to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

Amendments offered by several members are adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

H. B. 1575, A bill to be entitled An act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock, of Wake, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Hamilton, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McLauchlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

H. B. 1586, A bill to be entitled An act validating notes of the City of Thomasville and the City of Lexington.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock, of Wake, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Hamilton, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McLauchlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

S. B. 627, A bill to be entitled An act to provide for certain special taxes in Rutherford County.

Passes its third reading by the following vote and is ordered Enrolled. Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock, of Wake, Barden, Bean, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cover, Cowles, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Etheridge, Everett, Falkner, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greer, Hamilton, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Moss, Moye, Murphy, McLauchlin, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Rouse, Scarborough, Sigmon, Smith, Spruill, Stevens, Sullivan, Tatem,

Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Wilson, Womble, Woodall, Woodfin and Young—86.

Those voting in the negative are: None.

On motion of Mr. Murphy, the House takes a recess until twelve o'clock noon at which time the House and Senate will meet in a Joint Session for the purpose of electing trustees of the University of North Carolina.

### JOINT SESSION

Pursuant to an exchange of messages between the House and Senate, the Sergeant-at-Arms announces the approach of the Senate, and that Body, preceded by its officers, come into the Hall of the House and are assigned seats, the President of the Senate at the right of Mr. Speaker Harris.

The President of the Senate calls the Joint Assembly of the House and Senate to order, and states its object is to elect Trustees of the University of North Carolina.

The Clerk of the Senate calls the roll of Senators, and forty-two Senators answer the call.

The Clerk of the House calls the roll of the House, and one hundred two members answer the call.

A quorum of each House being declared present, the Joint Session proceeds to its business.

Senator Land, in behalf of the Joint Committee, makes the following report and nominations in writing:

REPORT OF THE COMMITTEE ON TRUSTEES OF THE UNIVERSITY TO THE GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION 1933

We, your Joint Committee, on the part of the Senate and House of Representatives, on the Trustees of the University of North Carolina, beg leave to report the following nominations:

For the term expiring April 1, 1941-

S. B. Alexander, Mecklenburg County.

Miss Annie Moore Cherry, Halifax County.

Hayden Clement, Rowan County.

Josephus Daniels, Wake County.

B. B. Everett, Halifax County.

R. O. Everett, Durham County.

C. C. Efird, Stanly County.

W. D. Faucette, Halifax County.

Richard T. Fountain, Edgecombe County.

W. R. Francis, Haywood County.

James A. Grey, Forsyth County.

George C. Green, Halifax County.

R. L. Harris, Person County.

W. L. Long, Halifax County.

R. E. Little, Anson County.

A. W. McLean, Robeson County.

Mrs. Lily C. Mebane, Rockingham County.

Harriss Newman, New Hanover County.

Clarence Poe, Wake County.

Mrs. Mary L. Tomlinson, Guilford County.

Miss Easdale Shaw, Richmond County.

J. F. Spruill, Davidson County.

Irvin B. Tucker, Columbus County.

J. Kenyon Wilson, Pasquotank County.

Graham Woodard, Wilson County.

For the term expiring April 1, 1939-

O. Max Gardner, Cleveland County.

H. D. Bateman, Wilson County.

W. H. S. Burgwyn, Northampton County.

For the term expiring April 1, 1937-

I. P. Davis, Dare County.

J. D. Beatty, Jr., Bladen County.

W. R. Dalton, Rockingham County.

John W. Aiken, Catawba County.

John W. Clark, Randolph County.

For the term expiring April 1, 1935-

Arthur M. Dixon, Gaston County,

E. M. Land,
Chairman, Senate Committee.
R. O. Everett,

Chairman, House Committee.

Mr. Murphy sends forward an amendment to the Committee report and nominations to eliminate the name of W. L. Long of Halifax County, and substitute therefore the name of Cameron Morrison of Mecklenburg County.

The amendment is adopted.

Senator Francis sends forward an amendment to the Committee report and nominations to eliminate the name of W. R. Francis of Haywood County and substitute therefore the name of William T. Hannah of Haywood County.

The amendment is adopted.

Mr. Thompson of Beaufort sends forward an amendment to the Committee report and nominations to eliminate the name of B. B. Everett of Halifax County, and substitute therefor the name of Junius D. Grimes of Beaufort County.

The amendment is adopted.

Several other amendments are sent forward which fail of adoption.

The question now recurs upon the adoption of the report and nominations as amended.

The report, as amended, is adopted by a roll call of the Senate and House, respectively, and the following Senators vote in the affirmative: Senators Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efird, Francis, Fuller, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Summersill, Walker and Waynick—41.

Those voting in the negative are: None.

The following Members of the House vote in the affirmative: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Beasely, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Spruill, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—97.

Those voting in the negative are: Mr. Allen-1.

Whereupon the President of the Senate, presiding over the Joint Session of the Senate and House of Representatives, declares that the persons nominated by Senator Land for the Committee, as amended by substitutions made by the Joint Session, are duly elected Trustees of the University of North Carolina for the terms as designated in the report.

On motion of Mr. Everett, the Joint Session is dissolved.

The Senate returns to its Chamber, and the House resumes consideration of its business.

#### CONFERENCE REPORT

May 8, 1933.

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned, your Conferees appointed to consider and adjust the differences arising on House Bill No. 881, title "To repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes," respectfully recommend the following:

That the Senate recede from its amendment.

# Respectfully submitted,

G. A. BARDEN,

J. A. GROVES.

JAMES A. TAYLOR.

Conferees on the part of the House of Representatives.

L. I. MOORE,

A. D. MACLEAN,

Conferees on the part of the Senate.

On motion of Mr. Barden, the report is adopted, and the Senate is so notified, to the end that if they adopt a similar report, the House may order the bill Enrolled.

# CONFERENCE REPORT ON HOUSE BILL NO. 1227

To the President of the Senate and Speaker of the House of Representatives:

The undersigned Conferees, on the part of the Senate and House of Representatives, having met in conference and fully considered the Senate Amendments to H. B. 1227, title "A bill to be entitled An act to appoint certain members of the boards of education of the respective counties of North Carolina," etc., have mutually agreed and respectfully report as follows:

- (1) Wake County: That the Senate Amendment striking out the names of C. A., or Charles, Ballentine and Dr. J. P. Hunter, or J. P. Hunter, be accepted and the House recede from its objection to said amendment.
- (2) Cumberland County: That the terms of N. S. McArthur and D. W. Carter, both of whom are named in the bill, be fixed at four years each, and that the Senate recede from its amendment of six years and two years, respectively.
- (3) Sampson County: That the name of S. A. Royal be added after the name of M. D. Jackson as a member of the Board of Education of Sampson County.
- (4) Durham County: That Mrs. Mary L. Mason be substituted in place of J. B. Mason as a member of the Board of Education in Durham County.
- (5) Swain County: That the Senate recede from its amendment striking out the names of W. T. Jenkins and Granville Calhoun, and that these names be re-inserted as members of the Board of Education of Swain County.
- (6) Montgomery County: That the Senate Amendment naming T. R. Baldwin in place of R. S. Andrews be accepted, and that the House recede on its objection to said amendment.
- (7) Rutherford County: That the Senate Amendment adding the words "for a period of six years" after the name of J. C. Hanes of Rutherford County be accepted.
- (8) That the Senate Amendment striking out the words "first Monday in April," wherever occurring and inserting in lieu thereof "first Monday in May," be accepted.

Respectfully submitted,

A. D. MacLean,
John W. Hinsdale,

Conferees on the part of the Senate.

Laurie McEachern, J. S. Massenburg,

J. TRACEY MOORE,

Conferees on the part of the House of Representatives.

On motion of Mr. McEachern, the report is adopted, and the Senate is so notified to the end that if they adopt a similar report, the House may order the bill Enrolled.

On motion of Mr. Cowles, H. B. 836, A bill to be entitled An act to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County

on salaries for the year 1931-1932, is taken from the Committee on Appropriations and recommitted to the Calendar Committee.

On motion of Mr. Moss, the House takes a recess until four o'clock p.m.

# AFTERNOON SESSION

House of Representatives, Tuesday, May 9, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business with Mr. Speaker Harris presiding.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Johnson of Chatham: H. B. 1608, A bill to be entitled An act to amend Senate Bill No. 339, relating to the extension of time for payment of special assessments levied by the City of Salisbury, as ratified on March 16, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And.

H. B. 1609, A bill to be entitled An act to amend Committee Substitute for S. B. 451, same being "An act allowing and directing the tax-collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes," as ratified on April 13, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Greene: H. B. 1610, A bill to be entitled An act to repeal House Bill 1526, entitled "An act to repeal House Bill 233, it being 'An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the Clerk of the Court of Mitchell County and the salary of the Sheriff and Treasurer-Tax Collector of said County,' ratified April 7, 1933," which was ratified May 5, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Braddy: H. B. 1611, A bill to be entitled An act to amend House Bill 1405 of the present Session of the General Assembly, relating to the salary and compensation of the Sheriff of Bladen County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Woodall: H. B. 1612, A bill to be entitled An act to amend chapter 63 of the Private Laws of 1915, relating to the Charter of the Town of Benson.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Garibaldi: H. B. 1613, A bill to be entitled An act to provide for a landlord's lien in Mecklenburg County.

Referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 614, A bill to be entitled An act to fix the terms of office of the Board of Education in Mitchell County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 631, A bill to be entitled An act relating to tax penalties in the County of Cumberland.

Passes its second and third readings, and is ordered Enrolled.

S. B. 643, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, to exempt from its provisions Guilford County and the municipalities therein.

Passes its second and third readings, and is ordered Enrolled.

S. B. 647, A bill to be entitled An act to allocate Union Township, Robeson County to the proper recorder's court and commissioner's district.

Passes its second and third readings, and is ordered Enrolled.

S. B. 651, A bill to be entitled An act to amend the law regulating the sale of alcoholic beverages near Guilford College.

Passes its second and third readings, and is ordered Enrolled.

S. B. 660, A bill to be entitled An act to appoint a cotton weigher for the Town of Stanfield in Stanly County, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 665, A bill to be entitled An act to prohibit the exhibition of any free medicine show or like performance in Catawba County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 667, A bill to be entitled An act relating to the public officers of Northampton County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1584, A bill to be entitled An act to amend House Bill 158, ratified March 13, 1933, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and the municipalities therein.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1605, A bill to be entitled An act to authorize the Town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1607, A bill to be entitled An act to prohibit the setting of steel traps in Robeson County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 613, A bill to be entitled An act to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

Passes its second and third readings, and is ordered Enrolled.

### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 121, An act to amend chapter 120, Public Laws 1929, the same being known as "The Workmen's Compensation Act," so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

S. B. 627, An act to provide for certain special taxes in Rutherford County.

S. B. 632, An act supplemental to and amendatory of Senate Bill 180, it being An act to allow the counties, municipalities, and other governing agencies, to refund tax sales certificates, and ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein.

S. B. 659, An act to repeal chapter 40, Private Laws of 1874-1875, repealing the Charter of the Town of Morrisville, Wake County.

H. B. 879, An act to provide for the calling of a Convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment.

H. B. 1329, An act to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the City of Asheville.

H. B. 1390, An act to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County.

H. B. 1469, An act to repeal chapter 17 of the Public Laws of 1931, being An act to amend section 1608 (F), Volume III of the Consolidated Statutes, relating to the General County Court of Caswell County.

H. B. 1509, An act to regulate peddling in the City of Winston-Salem.

H. B. 1530, An act to regulate appeals from courts of justices of the peace in civil action in Martin County.

H. B. 1535, An act authorizing the Board of Commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

H. B. 1591, An act to appoint an auditor for Columbus County.

H. B. 1543, An act to regulate the sale of unginned or seed cotton in Beaufort County.

H. B. 1547, An act for the relief of the indigent families of the City of Wilmington by the city furnishing water to such indigent families, and

otherwise regulating the minimum charges, charged for water furnished by the City of Wilmington.

H. B. 1548, An act to amend House Bill 889, entitled "An act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the City Commissioners, including the Mayor," enrolled and ratified March 22, 1933.

H. B. 1552, An act to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800, Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties.

H. B. 1558, An act to validate the acts of J. S. McRae, a justice of the peace for the County of Robeson.

S. B. 630, An act to provide the regulation and taxation of peddlers of the City of Charlotte, North Carolina.

S. B. 490, An act to create a building code council for North Carolina.

S. B. 666, An act requiring the governing body and election officials of the Town of Andrews, Cherokee County, to hereafter comply with the General Election Laws of North Carolina in calling and holding elections for the election of Mayor and members of the Board of Aldermen.

S. B. 670, An act to define the powers and duties of the Board of Revaluation and Review of Yancey County.

H. B. 1147, An act to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the Town of Carolina Beach.

H. B. 1368, An act to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the Clerk of the Recorder's Court of Cleveland County.

H. B. 1459, An act to amend Senate Bill No. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

H. B. 1463, An act to fix the salary of the Register of Deeds of Yancey County.

H. B. 1480, An act supplemental to Senate Bill 525 and fixing the period for which license by counties and municipalities to sell beer shall expire.

H. B. 1511, An act to validate a municipal election to be held for the Town of Pantego, Beaufort County, on Tuesday, May 9, 1933.

H. B. 1523, An act to repeal Senate Bill 367, ratified April 5, 1933, and Senate Bill 525, ratified April 28, 1933, to prohibit the sale of beer in the Village of Macon, Warren County, North Carolina.

H. B. 1529, An act relating to official bonds for county or municipal officers in Haywood County.

H. B. 1517, An act to prohibit the sale of beverages within the corporate limits of Montreat, Mars Hill and the association grounds of the Baptist Assembly at Ridge Crest, in Buncombe County.

H. B. 1544, An act to amend House Bill 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties and the municipalities therein, ratified March 13, 1933.

H. B. 1585, An act to amend chapter 415, Public-Local Laws 1915, relative to the Recorder's Court of Leaksville Township, Rockingham County.

- S. B. 654, An act to prohibit the sale of beverages within two miles of the Administrative Building of Campbell College, Town of Buie's Creek, Neill's Creek Township in Harnett County.
- H. B. 1555, An act to amend Senate Bill No. 180, Public Laws of 1933, relating to refund of tax sales certificates.
- H. B. 968, An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.
  - H. B. 1556, An act to approve postponement of date of tax sales.
- H. B. 756, An act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

On motion of Mr. O'Berry, the House takes a recess until eight o'clock p.m.

### NIGHT SESSION

House of Representatives, Tuesday Night, May 9, 1933.

Pursuant to recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from Standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Moss, for the Committee on Calendar:

H. B. 1604, A bill to be entitled An act to repeal Senate Bill 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions." With a favorable report.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1580, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage in Stumpy Point voting precinct, Dare County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1606, A bill to be entitled An act to abolish the Recorder's Court of Elkin, Surry County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 663, A bill to be entitled An act to empower the Board of Commissioners of Yancey County to include the expenses of building a gymnasium in the general emergency fund.

Passes its second and third readings, and is ordered Enrolled.

S. B. 656, A bill to be entitled An act to exempt the Town of Bakersville, Mitchell County, from the provision of Senate Bill No. 367, relating to the sale of beer, spiritus frumenti, or other intoxicants.

Passes its second reading, and remains on the Calendar.

H. B. 1566, A bill to be entitled An act to reënact chapter 430 of the Public-Local Laws of 1925, and to require the Clerk of the Superior Court and the Register of Deeds to keep their offices open during office hours, relating to Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1443, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

Passes its second reading by the following vote, and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Berryman, Binford, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Everett, Galloway, Gardner, Garrou, Gatling, Graham, Grant, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Massenburg, Mizzell, Moss, McEachern, McLauchlin, O'Berry, Olive, Pope, Ray, Rouse, Ruark, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Watson, Wilson, Woodall and Woodfin—66.

Those voting in the negative are: None.

H. B. 1444, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Berryman, Binford, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Everett, Galloway, Gardner, Garrou, Gatling, Graham, Grant, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Massenburg, Mizzell, Moss, McEachern, McLauchlin, O'Berry, Olive, Pope, Ray, Rouse, Ruark, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Watson, Wilson, Woodall and Woodfin—66.

Those voting in the negative are: None.

S. B. 638, A bill to be entitled An act validating certain tax sales in Mitchell County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Berryman, Binford, Boyd, Braddy, Brown, Cameron, Cherry, Coffey, Cover, Cowles, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Everett, Galloway, Gardner, Garrou, Gatling, Graham, Grant, Haynes, Howell, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Massenburg, Mizzell, Moss, McEachern, McLauchlin, O'Berry, Olive, Pope, Ray, Rouse, Ruark, Sigmon, Smith, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Halifax,

Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, Turner of Iredell, Vann, Watson, Wilson, Woodall and Woodfin—66.

Those voting in the negative are: None.

S. B. 156, A bill to be entitled An act to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without the levy of any ad valorem tax therefor.

The question recurs upon the passage of the bill on its second reading.

Two amendments offered by Mr. Aycock of Wake are adopted.

An amendment offered by Mr. Morphew is adopted.

An amendment offered by Mr. Pope is adopted.

An amendment offered by Mr. Turner of Guilford is lost.

An amendment offered by Mr. Pope is adopted.

An amendment offered by Mr. Newman is lost.

An amendment offered by Mr. Barden is adopted.

An amendment offered by Mr. Binford is adopted.

An amendment offered by Mr. Dowtin of Warren is adopted.

An amendment offered by Mr. Eagles is adopted.

An amendment offered by Mr. Aycock of Wake is adopted.

An amendment offered by Mr. Cameron is lost.

An amendment offered by Mr. Woodall is lost.

Two amendments offered by Mr. Cameron are adopted.

An amendment offered by Mr. Tompkins is adopted.

An amendment offered by Mr. Moss is lost.

An amendment offered by Mr. Tatem is adopted.

An amendment offered by Mr. Stevens is lost.

An amendment offered by Mr. Garrou is lost.

An amendment offered by Mr. Garrou is adopted.

An amendment offered by Mr. Taylor of Mecklenburg is lost.

An amendment offered by Mr. Graham is lost.

An amendment offered by Mr. Crews is lost.

As amended, the amendments being material ones, the bill passes its first reading and remains on the Calendar for its second reading roll call.

# ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 613, An act to amend chapter 29 of the Private Laws of 1929, it being An act to incorporate Salem Methodist Church of Stanly County, North Carolina.

S. B. 614, An act to fix the terms of office of the Board of Education in Mitchell County.

S. B. 631, An act relating to tax penalties in the County of Cumberland.

S. B. 647, An act to allocate Union Township, Robeson County, to the proper recorder's court and commissioner's district.

S. B. 651, An act to amend the law regulating the sale of alcoholic beverages near Guilford College.

- S. B. 660, An act to appoint a cotton weigher for the Town of Stanfield in Stanly County, North Carolina.
- S. B. 665, An act to prohibit the exhibition of any free medicine show or like performance in Catawba County.
- H. B. 1593, An act to authorize the Auditor or Accountant of Brunswick County to employ assistance when deemed necessary.
  - S. B. 667, An act relating to the public officers of Northampton County.
- S. B. 643, An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, to exempt from its provisions Guilford County and the municipalities therein.

On motion of Mr. Graham, the House adjourns and will meet tomorrow at 10:30 o'clock.

# ONE HUNDRED NINTH DAY

House of Representatives, Wednesday, May 10, 1933.

The House meets pursuant to adjournment, and its called to order by Mr. Speaker Harris.

Prayer by Rev. E. C. Few of the City of Raleigh.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

# REPORTS OF COMMITTEES

Bills and resolutions are reported from Standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Makepeace, for the Committee on Game:

S. B. 592, A bill to be entitled An act to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County.

And.

S. B. 637, A bill to be entitled An act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County game laws.

With favorable reports.

By Mr. Moss, for the Committee on Calendar:

S. B. 555, A bill to be entitled An act to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution. And,

H. B. 836, A bill to be entitled An act to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County on salaries for the year 1931-32.

And,

H. B. 1595, A bill to be entitled An act authorizing postponement of sales for certain delinquent taxes and special assessments.

And,

H. B. 1603, A bill to be entitled An act relating to, and providing for, settlement between counties and the State in certain cases where counties

are in default on account of loans made out of the literary fund and/or the special building funds.

And.

S. B. 642, A bill to be entitled An act to release church property in the Town of East Flat Rock, Henderson County, from the payment of street and sidewalk paying and sewerage assessments.

And,

S. B. 674, A bill to be entitled An act supplemental to and amendatory of Senate Bill 593, it being "An act to amend the Charter of the Town of Morganton, providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.

And

S. B. 677, A bill to be entitled An act to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said Act.

And.

S. B. 671, A bill to be entitled An act to amend H. B. 1059, which is entitled "An act providing for the working of prisoners on the streets of the Town of Maiden in Catawba County, North Carolina. (Applicable also to the Town of Conover.)

And,

S. B. 672, A bill to be entitled An act to authorize the issuance of scrip in Iredell County.

And.

S. B. 673, A bill to be entitled An act to authorize the issuance of scrip by the City of Statesville.

With favorable reports.

And.

H. B. 1601, A bill to be entitled An act to amend chapter 113, Public Laws 1927, relating to distribution of the assets of insolvent banks.

With a favorable report, as amended.

And.

S. B. 639, A bill to be entitled An act for the relief of D. H. Pope.

With an unfavorable report.

And.

H. B. 1481, A bill to be entitled An act supplemental to and amendatory of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

Unfavorable as to bill; favorable as to Committee substitute, as amended.

By Mr. Newman, for the Committee on Appropriations:

H. B. 681, A bill to be entitled An act to regulate the salaries of special help of the Budget Bureau, being an amendment to Public Laws of 1929, chapter 100, section 21.

With an unfavorable report.

And

H. B. 718, A bill to be entitled An act to create the North Carolina Roanoke Colony Commission, for the purpose of arranging for the celebration in 1934

of the 350th Anniversary of the birth on Roanoke Island of English speaking civilization in America.

And.

S. B. 594, A bill to be entitled An act to clarify and/or amend the Appropriations Act of 1933, House Bill 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

With favorable reports.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Williams: H. B. 1614, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.

Referred to the Committee on Calendar.

By Mr. Taylor of Halifax: H. B. 1615, A bill to be entitled An act to validate certain procedure in regard to street assessments in the Town of Littleton.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Pope and Taylor of Halifax: H. B. 1616, A bill to be entitled An act to amend House Bill 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1617, A bill to be entitled An act to amend Senate Bill 180, being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cameron: H. B. 1618, A bill to be entitled An act to prohibit the sale of beer within the Town of Pine Bluff, North Carolina.

Referred to the Committee on Calendar.

By Mr. Randolph: H. B. 1619, A bill to be entitled An act supplemental to and amendatory of Senate Bill No. 135, it being "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Placed on the Calendar.

By Mr. Monroe: H. B. 1620, A bill to be entitled An act to repeal the Absentee Ballot Law for Montgomery County, North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. McLauchlin: H. B. 1621, A bill to be entitled An act to prohibit the setting of steel traps in Scotland County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cover: H. B. 1622, A bill to be entitled An act to fix the time to levy taxes for the Town of Murphy.

Referred to the Committee on Calendar.

By Mr. Barden: H. B. 1623, A bill to be entitled An act to repeal chapter 9 of the Private Laws of 1927, and to amend chapter 32 of the Private Laws of 1915, relating to the Tax Collector of the City of New Bern.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Moore, Hoyle and Turner of Guilford: H. B. 1624, A bill to be entitled An act to amend chapter 427, Public-Local Laws 1927, relating to salary of the Sheriff of Guilford County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ewing, by request: H. B. 1625, A bill to be entitled An act to relieve the Sheriff of Cumberland County.

Placed on the Calendar.

By Mr. Barden: H. B. 1626, A bill to be entitled An act to authorize the Board of Commissioners of Craven County to transfer to the general fund certain assets.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Robeson: H. B. 1627, A bill to be entitled An act to authorize the Town of Maxton to accept its obligations in payment of taxes and assessments.

Placed on the Calendar.

By Mr. Etheridge: H. B. 1628, A bill to be entitled An act to amend H. B. 158 and S. B. 180, to exempt Dare County and the municipalities therein from the provisions of said acts.

Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1629, A bill to be entitled An act regulating the salary of the Deputy Sheriff of Columbus County.

Placed on the Calendar.

By Mr. Galloway: H. B. 1630, A bill to be entitled An act providing for a more economic liquidation of the assets of closed banks in North Carolina.

Referred to the Committee on Calendar.

By Mr. Wilson: H. B. 1631, A bill to be entitled An act to prohibit the beverages mentioned in the "Beverage Control Act" of 1933, from being sold within one mile of Pelham M. E. Church, South, in Caswell County.

Placed on the Calendar.

#### MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 543, A bill to be entitled An act to amend section 4323 of the Consolidated Statutes.

Referred to the Committee on Calendar.

S. B. 618, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

Referred to the Committee on Calendar.

S. B. 633, A bill to be entitled An act supplemental to S. B. 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

Referred to the Committee on Calendar.

S. B. 678, A bill to be entitled An act to prohibit the sale of beer and light wines in the Village of Elon College in Alamance County, North Carolina.

On motion of Mr. Wilson, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 681, A bill to be entitled An act to amend H. B. 1066, ratified April 11, 1933, entitled "An act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County."

On motion of Mr. Ingram, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 682, A bill to be entitled An act to provide for a special election for Mayor and Commissioners of the Town of Holly Springs, Wake County.

On motion of Dr. Douglass, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 1353, A bill to be entitled An act to abolish the office of the Treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said County.

For concurrence in the Senate Amendment.

On motion of Mr. Neal, the House concurs in Senate Amendment and the bill is ordered Enrolled.

H. B. 1410, A bill to be entitled An act to prohibit the Commissioners of the County of Macon from levying any special tax to pay township bonds except in the townships where said bonds are voted and issued.

For concurrence in the Senate Amendment.

On motion of Mr. Ingram, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 361, A bill to be entitled An act to amend chapter 120 of Public Laws of 1929, exempting saw mills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 774, A bill to be entitled An act to amend the North Carolina Game Laws.

For concurrence in the Senate Amendment.

On motion of Mr. Makepeace, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 905, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act, relating to settlements in cases involving third parties and to the filing of claims.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1001, A bill to be entitled An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

For concurrence in the Senate Amendment.

On motion of Mr. Randolph, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1141, A bill to be entitled An act to amend H. B. 158, ratified March 13, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to provide an alternative method of notification.

For concurrence in the Senate Amendment.

On motion of Mr. Wilson, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 1486, A bill to be entitled An act to allow the Commissioners of the Town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

Paced on the Calendar for concurrence in the Senate Amendment.

H. B. 1564, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the twenty-seventh day of March, 1933.

For concurrence in the Senate Amendment.

On motion of Mr. Coffey, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, May 10, 1933.

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that the Senate has adopted the Conference Report on H. B. 1227, title "To appoint certain members of the Boards of Education of the respective counties of North Carolina, fix their terms of office and limit compensation at State expense," to the end that you may order the bill Enrolled, if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

The House having adopted a similar report, and being in receipt of the above information, the House orders the bill Enrolled.

Mr. Speaker:

SENATE CHAMBER, May 10, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on H. B. 881, title "To repeal any and all statutes, laws and clauses of laws, imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes," to the end that you may order the bill Enrolled, if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN,
Clerk of the Senate.

The House having adopted a similar report, and being in receipt of the above information, the House orders the bill Enrolled.

Mr. Speaker:

SENATE CHAMBER, May 10, 1933.

Pursuant to your request, we are returning, herewith, S. B. 493, title "For the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County," for further consideration by your Honorable Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Having been recalled from the Senate, on motion of Mr. White, the vote by which the bill passed its third reading is reconsidered.

On motion of Mr. White, the bill is laid on the Table.

### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 589, A bill to be entitled An act to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

On motion of Mr. Eagles, the vote by which the bill passes its second reading is reconsidered.

On motion of Mr. Eagles, the vote by which an amendment he offered was adopted is reconsidered.

Mr. Eagles withdraws the amendment.

The question now recurs upon the passage of the bill, as amended, on its second reading.

Upon this, Mr. Flanagan calls for the "ayes" and "noes." The call is sustained and the bill, as amended, passes its second reading by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Barden, Bender, Berryman, Binford, Boswell, Bowie, Boyd, Braddy, Brown, Cameron, Cover, Cowles, Crews, Culpepper, Davis, Dees, Douglass, Eagles, Edwards, Froneberger, Galloway, Gardner, Gatling, Grant, Greene, Hamilton, Haynes, Howell, Ingram, Makepeace, Mebane, Monroe, Moye, Murphy, McLauchlin, Oaks, Phillips, Ray, Rouse, Sigmon, Spruill, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thompson of Beaufort, Tompkins, Turner of Iredell, Vann, Watson, White and Williams—52.

Those voting in the negative are: Mr. Speaker, Messrs. Aycock of Wake, Beasley, Brawley, Cherry, Cox, Doughton of Alleghany, Etheridge, Ewing, Falkner, Flanagan, Garrou, Grady, Graham, Greer, Groves, Hoyle, Hutchins, James, Johnson of Chatham, Mizzell, Moore, Moss, Neal, O'Berry, Pope, Randolph, Smith, Stevens, Tatem, Taylor of Halifax, Thomas, Thompson of Columbus, Thompson of Robeson, Wilson and Womble—36.

The question now recurs upon the passage of the bill, as amended, on its third reading.

As amended, the bill passes its third reading, and is ordered sent to the Senate for concurrence in the House Amendments.

S. B. 156, A bill to be entitled An act to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without the levy of any ad valorem tax therefor.

Mr. Doughton moves that the vote by which an amendment offered by Mr. Garrou was adopted be reconsidered. Upon this, Mr. Turner of Guilford calls for the "ayes" and "noes." The call is sustained, and the motion of Mr. Doughton prevails by the following vote:

Those voting in the affirmative are: Messrs. Beasely, Bender, Berryman, Bowie, Braddy, Brown, Cherry, Cover, Cowles, Cox, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Eaton, Edwards, Ewing, Falkner, Flanagan, Galloway, Gardner, Gatling, Grady, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Ingram, Johnson of Pender, Lumpkin, Makepeace, Mebane, Monroe, Moss, Moye, McLauchlin, O'Berry, Phillips, Randolph, Sigmon, Smith, Spruill, Taylor of Currituck, Taylor of Mecklen-

burg, Thomas, Thompson of Robeson, Tompkins, Vann, Warlick, Watson, Williams, Wilson, Womble and Woodall—58.

Those voting in the negative are: Messrs. Barden, Bean, Binford, Boswell, Boyd, Brawley, Cameron, Crews, Culpepper, Davis, Froneberger, Garibaldi, Garrou, Hoyle, Hutchins, James, Massenburg, Moore, Morphew, Neal, Newman, Oaks, Ray, Rouse, Stevens, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford, Turner of Iredell and White—31.

The question now recurs upon the adoption of the amendment offered by Mr. Garrou.

On this, Mr. Garrou calls for the "ayes" and "noes." The call is sustained and the amendment fails of adoption by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Barden, Bean, Binford, Boyd, Brawley, Cameron, Crews, Culpepper, Davis, Douglass, Eagles, Everett, Froneberger, Garibaldi, Garrou, Grady, Hoyle, Hutchins, James, Johnson of Pender, Lumpkin, Massenburg, Mebane, Mizzell, Moore, Morphew, Neal, Newman, Oaks, Pope, Ray, Rouse, Smith, Spruill, Stevens, Sullivan, Tatem, Taylor of Halifax, Thompson of Beaufort, Turner of Guilford, Turner of Iredell and White—43.

Those voting in the negative are: Mr. Speaker, Messrs. Beasley, Bender, Berryman, Boswell, Bowie, Braddy, Brown, Cherry, Cover, Cowles, Cox, Dees, Doughton of Alleghany, Edwards, Ewing, Falkner, Flanagan, Galloway, Gardner, Gatling, Graham, Grant, Greer, Groves, Hamilton, Haynes, Ingram, Johnson of Chatham, Makepeace, Monroe, Moss, Moye, McLauchlin, O'Berry, Phillips, Randolph, Ruark, Sigmon, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Robeson, Tompkins, Vann, Watson, Williams, Wilson and Womble—49.

Mr. Tompkins moves that the vote by which an amendment, No. 23, offered by Messrs. Aycock of Wake and Graham was adopted be reconsidered.

Mr. Turner of Guilford moves that the motion of Mr. Tompkins be laid on the Table.

Upon this motion, Mr. Tompkins calls for the "ayes" and "noes." The call is sustained, and the motion of Mr. Turner of Guilford is lost by the following vote:

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Bean, Beasley, Binford, Boyd, Brawley, Cherry, Cowles, Crews, Doughton of Alleghany, Everett, Froneberger, Garibaldi, Graham, Hamilton, Hoyle, Hutchins, James, Johnson of Chatham, Massenburg, Moore, Morphew, Murphy, Newman, Oaks, Pope, Randolph, Ray, Sigmon, Sullivan, Taylor of Halifax, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Turner of Guilford, and Turner of Iredell—37.

Those voting in the negative are: Mr. Speaker, Messrs. Bender, Berryman, Boswell, Bowie, Braddy, Brown, Cameron, Cover, Culpepper, Dees, Douglass, Eagles, Edwards, Falkner, Flanagan, Galloway, Gardner, Gatling, Grady, Grant, Greer, Haynes, Ingram, Johnson of Pender, Lumpkin, Makepeace, Mizzell, Monroe, Moss, McEachern, McLauchlin, Neal, O'Berry, Phillips, Rouse, Ruark, Smith, Spruill, Stevens, Tatem, Taylor of Currituck, Thomas, Tompkins, Vann, Warlick, Watson, White, Williams and Wilson—50.

The question now recurs upon Mr. Tompkins's motion to reconsider the vote by which amendment No. 23, offered by Messrs. Aycock of Wake and Graham was adopted.

The motion fails of adoption.

The question now recurs upon the passage of the bill, as amended, on its second reading.

An amendment offered by Mr. O'Berry is adopted.

An amendment offered by Mr. Smith is adopted.

The question now recurs upon the passage of the bill, as amended, on its second reading.

As amended, the bill passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Bean, Beasley, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cherry, Cover, Cox, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Grady, Graham, Grant, Greene, Hamilton, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Mebane, Mizzell, Monroe, Moore, Morphew, Moye, Murphy, McEachern, McLauchlin, Neal, Newman, Oaks, O'Berry, Phillips, Pope, Rouse, Sigmon, Smith, Spruill, Stevens, Tatem, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Vann, Warlick, Wilson and Woodall—72.

Those voting in the negative are: Mr. Speaker, Messrs. Barden, Berryman, Cameron, Cowles, Crews, Davis, Eaton, Garrou, Greer, Groves, Moss, Ray, Sullivan, Tompkins, Turner of Guilford, Turner of Iredell, White, Williams and Womble—20.

The following pairs are announced:

Mr. Howell, with Mr. Randolph—were Mr. Howell present, he would vote "no," Mr. Randolph would vote "aye."

Mr. Scarborough, with Mr. Bender—were Mr. Scarborough present, he would vote "no," Mr. Bender would vote "aye."

The following vote present: Mr. Massenburg.

S. B. 405, A bill to be entitled An act to amend chapter 64, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said Act.

On motion of Mr. Eagles, the bill is ordered returned to the Enrolling Office for Enrollment.

S. B. 406, A bill to be entitled An act to amend chapter 126, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said Act.

On motion of Mr. Eagles, the bill is ordered returned to the Enrolling Office for Enrollment.

H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

As amended, the bill passes its second and third readings, and is ordered Engrossed and sent to the Senate.

H. B. 1562, A bill to be entitled An act to amend House Bill 158, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1574, A bill to be entitled An act incorporating Haywood, Cherokee, Jackson and Avery counties under the provisions of House Bill No. 1321.

On motion of Mr. Howell, the bill is laid on the Table.

S. B. 656, A bill to be entitled An act to exempt the Town of Bakersville, Mitchell County, from the provisions of Senate Bill 367, relating to the sale of beer, spiritus frumenti or other intoxicants.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1443, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

H. B. 1444, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

Passes' its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

H. B. 1575, A bill to be entitled An act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass,

Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

H. B. 1586, A bill to be entitled An act validating notes of the City of Thomasville and the City of Lexington.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

S. B. 638, A bill to be entitled An act validating certain tax sales in Mitchell County.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass, Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

S. B. 662, A bill to be entitled An act relating to funding and refunding bonds of Guilford County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Barden, Bean, Beasley, Bender, Berryman, Boswell, Bowie, Boyd, Braddy, Cameron, Cherry, Cover, Cowles, Cox, Davis, Dees, Doughton of Alleghany, Douglass,

Dowtin of Warren, Eagles, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, McEachern, McLauchlin, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Sigmon, Smith, Spruill, Stevens, Sullivan, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Iredell, Vann, Watson, White, Williams, Wilson, Womble, Woodall and Woodfin—81.

Those voting in the negative are: None.

On motion of Mr. Arndt, S. B. 664, A bill to be entitled An act to aid public school teachers in securing, raising and renewing their certificates, is taken from the Committee on Education and recommitted to the Calendar Committee.

#### ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of Secretary of State:

S. B. 663, An act to empower the Board of Commissioners of Yancey County to include the expenses of building gymnasium in the general emergency fund.

H. B. 559, An act to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

H. B. 1072, An act to amend section 1443, of Volume III of the Consolidated Statutes, as amended by chapter 123, Public Laws of 1929, providing an additional term of Court for Northampton County.

H. B. 1123, An act to amend chapter 249, Public Laws 1931, relating to the extension of special assessments.

H. B. 1143, An act to fix the status of certain acreage made by the Intracoastal Waterway dredging operations.

H. B. 1172, An act to legalize the probate of corporations taken prior to the first day of January, 1918.

H. B. 1185, An act to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

H. B. 1590, An act to appoint a tax collector for Columbus County.

On motion of Mr. Randolph, the House takes a recess until 3:30 o'clock p.m.

## AFTERNOON SESSION

House of Representatives, Wednesday Afternoon, May 10, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows: By Mr. Moss, for the Committee on Calendar.

S. B. 664, A bill to be entitled An act to aid public school teachers in securing, raising and renewing their certificates.

With a favorable report, as amended.

And,

H. B. 1622, A bill to be entitled An act to fix the time to levy taxes for the Town of Murphy.

And.

H. B. 1618, A bill to be entitled An act to prohibit the sale of beer within the Town of Pine Bluff, North Carolina.

And

H. B. 1614, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.

And,

S. B. 633, A bill to be entitled An act supplemental to Senate Bill 55, same being An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

With favorable reports.

And,

S. B. 618, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

And,

S. B. 543, A bill to be entitled An act to amend section 4323 of the Consoldated Statutes.

With unfavorable reports.

#### ENGROSSED BILLS

Mr. Galloway, for the Committee on Engrossed Bills, reports the following bills and resolutions properly engrossed, and ask that they be sent to the Senate.

It is so ordered.

H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Mr. Ray: H. B. 1632, A bill to be entitled An act to allow the Commissioners of the Town of East Flat Rock, in Henderson County, to accept bonds in payment of certain taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Womble: H. B. 1633, A bill to be entitled An act amending chapter 210 of the Public-Local Laws of the year 1889, relative to the Charter of the Town of Cary, Wake County, North Carolina.

Placed on the Calendar.

By Mr. Cover: H. B. 1634, A bill to be entitled An act to amend House Bill No. 1227, the same being "An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense," ratified May 10, 1933.

Placed on the Calendar.

By Messrs. Sullivan, Randolph and Boyd: H. B. 1635, A bill to be entitled An act to amend House Bill No. 59, ratified the 25th day of January, 1933, being "A bill to be entitled An act to regulate lobbying."

Placed on the Calendar.

By Mr. Turner of Guilford: H. B. 1636, A bill to be entitled An act to provide for the appointment of justices of the peace for High Point Township, Guilford County, and to limit the number thereof, and to fix the terms of incumbents of said offices in High Point Township.

Referred to the Committee on Calendar.

By Mr. Thompson of Columbus: H. B. 1637, A bill to be entitled An act authorizing the County Commissioners of Columbus County to convey to a Trustee, all real property bought by said County under tax foreclosure proceedings.

Referred to the Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1486, A bill to be entitled An act to allow the Commissioners of the Town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

For concurrence in the Senate Amendment.

On motion of Mr. Flanagan, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 1619, A bill to be entitled An act supplemental to and amandatory of Senate Bill No. 135, it being "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1625, A bill to be entitled An act to relieve the Sheriff of Cumberland County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1627, A bill to be entitled An act to authorize the Town of Maxton to accept its obligations in payment of taxes and assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1629, A bill to be entitled An act regulating the salary of the Deputy Sheriff of Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1631, A bill to be entitled An act to prohibit the beverages mentioned in the beverage control act of 1933 from being sold within one mile of Pelham Methodist Episcopal Church, South, in Caswell County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 592, A bill to be entitled An act to amend chapter 143, Public Laws of 1931 allowing hunting and killing of foxes at any time in Henderson County.

Passes its second and third readings and is ordered sent to the Enrolling Office for Enrollment.

S. B. 642, A bill to be entitled An act to release church property in the Town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments.

Passes its second and third readings and is ordered Enrolled.

S. B. 671, A bill to be entitled An act to amend House Bill No. 1059, which is entitled "An act providing for the working of prisoners on the streets of the Town of Maiden, in Catawba County, North Carolina, applicable also to the Town of Conover.

Passes its second and third readings and is ordered Enrolled.

S. B. 672, A bill to be entitled An act to authorize the issuance of scrip in Iredell County.

Passes its second and third readings and is ordered Enrolled.

S. B. 673, A bill to be entitled An act to authorize the issuance of scrip by the City of Statesville.

Passes its second and third readings and is ordered Enrolled.

S. B. 674, A bill to be entitled An act supplemental to and amendatory of Senate Bill No. 593, it being "An act to amend the Charter of the Town of Morganton, providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.

Passes its second and third readings and is ordered Enrolled.

S. B. 677, A bill to be entitled An act to amend Senate Bill No. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said Act.

Passes its second and third readings and is ordered Enrolled.

H. B. 1628, A bill to be entitled An act to amend House Bill No. 158 and Senate Bill No. 180, to exempt Dare County and the municipalities therein, from the provisions of said Acts.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1054, A bill to be entitled An act to amend chapter 169, Public Laws 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

For concurrence in Senate amendments.

On motion of Mr. Aycock of Wayne, the House concurs in the Senate amendments and the bill is ordered Enrolled.

H. B. 517, A bill to be entitled An act to allow persons having deposits in closed banks to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

On motion of Mr. Galloway, the bill is laid on the Table.

H. B. 836, A bill to be entitled An act to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund, the balance due certain school teachers in Wilkes County on salaries for the year 1931-1932.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

A minority report having been attached to the bill, the question now recurs upon the adoption of the minority report.

The minority report is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1315, A bill to be entitled An act to amend the North Carolina game laws relating to hunting preserves.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1304, A bill to be entitled An act regulating and providing for election of Trustees of the University of North Carolina, and to amend section 5789 of the Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws of 1931.

A substitute bill is offered by Mr. Thompson of Beaufort.

The substitute bill is adopted and remains on the Calendar.

On motion of Mr. Stevens, the House adjourns and will meet tomorrow at eleven o'clock a.m.

# ONE HUNDRED TENTH DAY

House of Representatives, Thursday, May 11, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. J. E. Sawyer of Pembroke, North Carolina.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Smith, for the Committee on Regulation of Public Service Corporations:

H. B. 1600, A bill to be entitled An act establishing the valuation placed upon public utilities for the fixing of rates for such public utilities as being prima facie the correct valuation of such utilities for the purpose of taxation.

With an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Hutchins: H. B. 1638, A bill to be entitled An act to protect hunting and fishing and timber reservations in Yancey County.

Placed on the Calendar.

By Mr. Phillips: H. B. 1639, A bill to be entitled An act to authorize the Director of the Division of Purchase and Contract to exchange the automobile now owned by the State of North Carolina and allotted to the Governor, for another automobile, whenever in his judgment, same is necessary.

Placed on the Calendar.

By Mr. Thompson of Columbus: H. B. 1640, A bill to be entitled An act to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County under Senate Bill No. 180, chapter 181, Public Laws of 1933.

Placed on the Calendar.

And.

H. B. 1641, A bill to be entitled An act to provide for six months service of grand juries in Columbus County.

Referred to the Committee on Calendar.

By Messrs. Moore and Hoyle: H. B. 1642, A bill to be entitled An act to provide for the organization, incorporation and operation of cash depositories in the County of Guilford.

Referred to the Committee on Calendar.

By Mr. Rouse: H. B. 1643, A bill to be entitled An act to amend chapter 31, Private Laws of 1915, relating to the number of Commissioners of the Town of Pink Hill, Lenoir County.

Placed on the Calendar.

By Mr. Cover: H. B. 1644, A bill to be entitled An act relating to law enforcement in Cherokee County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Doughton of Alleghany: H. B. 1645, A bill to be entitled An act to amend the Machinery and Revenue Acts, enacted at this Session of the General Assembly.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hamilton: H. B. 1646, A bill to be entitled An act to amend chapter 281, Public Laws of 1931, to provide for the approval of investments by the Local Government Commission instead of the Sinking Fund Commission.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1647, A bill to be entitled An act to validate the election of May 2, 1933, for the Town of Newport, in Carteret County, and to provide bond for the Town Treasurer.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Mizzell: H. B. 1648, A bill to be entitled An act authorizing the Board of County Commissioners of Washington County to place the Sheriff on a salary.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1649, A bill to be entitled An act to amend House Bill No. 158, ratified March 13, 1933, and known as the "Tax Foreclosure Act of 1933," as the same relates to Columbus County.

Referred to the Committee on Calendar.

By Mr. Grant: H. B. 1650, A bill to be entitled An act to amend the Charter of the Town of Wrightsville Beach.

Referred to the Committee on Calendar.

By Mr. Hutchins: H. B. 1651, A bill to be entitled An act relating to terms of Superior Court of Yancey County.

Placed on the Calendar.

On motion of Mr. Moss, House Bill 1644, A bill to be entitled An act relating to law enforcement in Cherokee County, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Doughton of Alleghany, House Bill 1318, A bill to be entitled An act authorizing a special tax levy for the expense of revaluing property in Sampson County, is taken from the Unfavorable Calendar and placed on the Calendar.

## MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 715, A bill to be entitled An act to amend House Bill No. 125, being the Appropriations Bill for the State's departments, bureaus, institutions and agencies, and for other purposes.

Referred to the Committee on Calendar.

S. B. 716, A bill to be entitled An act to amend the Revenue Act with relation to absorption of the tax on motion pictures.

On motion of Mr. Tompkins, the bill is placed upon its immediate passage. Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered Enrolled.

S. B. 689, A bill to be entitled An act to authorize the Commissioners of the Town of Zebulon, Wake County, to accept at face value, bonds of said Town in payment of taxes or paving assessments.

S. B. 693, A bill to be entitled An act relating to funding and refunding bonds of counties and municipalities.

Referred to the Committee on Calendar.

S. B. 695, A bill to be entitled An act to repeal chapter 176 of the Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

Referred to the Committee on Calendar.

S. B. 696, A bill to be entitled An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities therein to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter.

Referred to the Committee on Calendar.

H. B. 1355, A bill to be entitled An act to authorize the creation of the office of tax collector for the County of Alamance.

Placed on the Calendar for concurrence in Senate amendment.

H. B. 1365, A bill to be entitled An act to fix the salary of the Register of Deeds of Columbus County.

Placed on the Calendar for concurrence in Senate amendment.

H. B. 1538, A bill to be entitled An act to fix the punishment for unlawful fishing and trespass at Moore's Pond in Franklin County.

For concurrence in the Senate Amendment.

On motion of Mr. Lumpkin, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1549, A bill to be entitled An act to prohibit the sale of beer or other alcolohic beverages within one and one-half miles of the Quaker Children's Home in Moore County. (Applicable also to Wingate Junior College in Union County.)

For concurrence in the Senate Amendment.

On motion of Mr. Cameron, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 684, A bill to be entitled An act to amend H. B. 158, being "An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Referred to the Committee on Calendar.

S. R. 685, Joint Resolution authorizing the printing of S. B. 333, ratified May 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina.

Referred to the Committee on Calendar.

S. B. 686, A bill to be entitled An act to repeal S. B. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

Referred to the Committee on Calendar.

S. B. 688, A bill to be entitled An act to amend H. B. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of National Banks.

H. B. 1550, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Village of High Falls, Moore County.

Placed on the Calendar for concurrence in the Senate Amendment.

H. B. 1570, A bill to be entitled An act to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.

For concurrence in the Senate Amendment.

On motion of Mr. Oaks, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 574, A bill to be entitled An act supplemental and amendatory of S. B. 238, entitled "A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department and to limit the number of motor vehicles inspectors," ratified April 15, 1933, it being An act transferring the illumniating oil, gas and lubricating oil inspection division to the Department of Revenue, etc.

Referred to the Committee on Calendar.

H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1889; and chapter 231 of the Private Laws of North Carolina of 1893; and chapter 112 of the Private Laws of North Carolina of 1911; and chapter 323 of the Private Laws of North Carolina of 1915; and chapter 119 of the Private Laws of North Carolina of 1927; and to fix the corporate limits of the Town of Windsor in Bertie County.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 700, A bill to be entitled An act to amend chapter 86 of the Public-Local Laws of 1931, reducing the salary of the Sheriff, Register of Deeds and Clerk of Superior Court of Mecklenburg County, and further An act to amend chapter 236, Public-Local and Private Laws of North Carolina, Session 1931, relating to the compensation of the Chairman of the Board of County Commissioners of Mecklenburg County; and further to amend chapter 504 of the Public-Local Laws of North Carolina, Session of 1911, reducing the salary of the Auditor of Mecklenburg County.

On motion of Mr. Taylor of Mecklenburg, the bill is laid on the Table. S. B. 704, A bill to be entitled An act to amend S. B. 631, relating to tax penalties in Cumberland County, ratified May 9, 1933.

Referred to the Committee on Calendar.

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

Placed on the Calendar for concurrence in the Senate Amendment.

S. R. 302, Joint Resolution requesting Congress to pass An act placing rural free delivery routes on a competitive basis.

S. B. 649, A bill to be entitled An act to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor.

Referred to the Committee on Calendar.

S. B. 683, A bill to be entitled An act to amend chapter 86 of the Public Laws of North Carolina, Session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

Referred to the Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 361, A bill to be entitled An act to amend chapter 120 of Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

For concurrence in the Senate Amendment.

On motion of Mr. Taylor of Halifax, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 1589, A bill to be entitled An act to amend An act ratified January 27, 1933, entitled "An act to expedite the trial of criminal cases and to dispense with jury trial therein.

· Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1618, A bill to be entitled An act to prohibit the sale of beer within the Town of Pine Bluff, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1614, A bill to be entitled An act to repeal certain provisions of section 1681 of the Consolidated Statutes relating to compensation for damages done by dogs in Duplin County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1622, A bill to be entitled An act to fix the time to levy taxes for the Town of Murphy.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1633, A bill to be entitled An act amending chapter 210 of the Public-Local Laws of the Year 1889, relative to the Charter of the Town of Cary, Wake County, North Carolina.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1644, A bill to be entitled An act relating to law enforcement in Cherokee County.

Having been recalled from the Senate, Mr. Moss makes a motion that the vote by which the bill passed its third reading be reconsidered.

On this Mr. Cherry calls for the "ayes" and "noes." The call is sustained and the motion to reconsider the vote by which the bill passed its third reading is carried by the following vote.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Beasley, Berryman, Braddy, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Eaton, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Graham, Grant, Groves, Hamilton, Haynes, James, Johnson of Chatham, Makepeace, Monroe, Moss, Moye, O'Berry, Phillips, Ray, Rouse, Sigmon, Stevens, Thomas, Thompson of Beaufort, Thompson of Robeson, White, Williams, Wilson, Womble, Woodall, Woodfin and Young—53.

Those voting in the negative are: Messrs. Allen, Bender, Bowie, Boyd, Cover, Culpepper, Edwards, Garrou, Grady, Hutchins, Ingram, Johnson of Pender, Lumpkin, Massenburg, Mebane, Murphy, Neal, Randolph, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Turner of Guilford—23.

The question now recurs upon the passage of the bill on its third reading.

The bill fails to pass its third reading.

S. B. 582, A bill to be entitled An act to permit the deposit of moneys of the State, county, city, town or political subdivisions of the State, in certain qualified banks without the deposit by such banks of depository bonds on security.

An amendment offered by Mr. Etheridge is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 156, A bill to be entitled An act to promote efficiency in the organization and economy in the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

The question now recurs upon the passage of the bill, as amended, on its third reading.

An amendment offered by Messrs. Bean and Murphy is adopted.

An amendment is offered by Mr. Johnson of Pender, and upon its adoption, Mr. Turner of Guilford calls for the "ayes" and "noes." The call is sustained, and the amendment is adopted by the following vote:

Those voting in the affirmative are: Messrs. Barden, Beasley, Bender, Braddy, Brawley, Cherry, Coffey, Cover, Cox, Culpepper, Doughton of Alleghany, Flanagan, Garrou, Grady, Graham, Groves, Hamilton, Haynes, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Morphew, Moss, Murphy, McEachern, Neal, Newman, O'Berry, Phillips, Randolph, Rouse, Smith, Stevens, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Wilson and Womble—48.

Those voting in the negative are: Messrs. Arndt, Aycock of Wake, Bean, Berryman, Bowie, Boyd, Brown, Cameron, Cowles, Crews, Davis, Dees, Douglass, Eagles, Eaton, Edwards, Everett, Galloway, Gardner, Grant, Hoyle, Monroe, Moore, Moye, Oaks, Pope, Ray, Sigmon, Spruill, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, White, Williams, Woodall and Woodfin—37.

The following pairs are announced:

Mr. Greer with Mr. Sullivan—were Mr. Sullivan present he would vote "no," Mr. Greer would vote "aye."

Mr. Johnson of Pender makes a motion that the vote by which the amendment was adopted be reconsidered and this motion be laid on the Table.

It is so ordered.

An amendment offered by Mr. Eagles is adopted.

An amendment offered by Mr. Turner of Guilford is adopted.

Mr. Turner of Guilford makes a motion that the vote by which the amendment was adopted be reconsidered and this motion be laid on the Table.

It is so ordered.

An amendment offered by Mr. Graham is adopted.

An amendment is offered by Mr. Tompkins, and upon its adoption, he calls for the "ayes" and "noes." The call is not sustained.

The amendment fails of adoption.

An amendment offered by Mr. McEachern is adopted.

The question now recurs upon the passage of the bill, as amended, on its third reading.

As amended, the bill passes its third reading by the following vote, and is ordered sent to the Senate for concurrence in the House amendment.

Those voting in the affirmative are: Messrs. Arndt, Aycock of Wake, Bean, Beasley, Bowie, Boyd, Braddy, Brawley, Cameron, Cherry, Coffey, Cover, Culpepper, Dees, Doughton of Alleghany, Eagles, Edwards, Etheridge, Everett, Ewing, Gardner, Grady, Graham, Groves, Hamilton, Haynes, Hoyle, Ingram, James, Johnson of Chatham, Makepeace, Mebane, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, O'Berry, Phillips, Pope, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Vann, Warlick, Wilson, Woodall, Woodfin and Young—63.

Those voting in the negative are: Mr. Speaker, Messrs. Allen, Barden, Bender, Berryman, Brown, Cowles, Cox, Crews, Davis, Douglass, Garrou, Gatling, Gréer, Hutchins, Ray, Sullivan, Tompkins, Turner of Guilford, Turner of Iredell, White, Williams and Womble—23.

The following pair is announced:

Mr. Randolph with Mr. Howell—were Mr. Howell present he would vote "no," Mr. Randolph would vote "aye."

#### STATEMENTS BY MEMBERS

Believing that the genus of Democracy demands an educated citizenship, and believing that the hope of the average citizen, the man who works with his hands and sweats in the factory and on the farm, that his children may occupy a better position in life than he occupies, and enjoy a higher standard of living than he enjoys, lies in the maintenance of a high standard of service in the public school system; and knowing that with the degradation of the public school system, the children of the wealthy and well to do will have the advantages of education through private schools and tutors, while the children of the average citizen must accept the circumscribed opportunities of a thinly spread out and, perhaps, degradated public school system; and believing that the people of all communities should and ought to have the unfettered right to vote on school and taxation matters; and further believing that the concentration of power in the hands of the newly created

State School Commission is dangerous and unwise, and utterly destructive of local autonomy, we hereby dissent from Senate Bill No. 156 (Griffin and MacLean School Machinery Act) and protest against the same.

THOS. TURNER, JR. J. S. MASSENBURG. S. E. DOUGLASS. W. A. SULLIVAN.

Believing that some provisions of the bill are contrary to the great fundamentals of Democracy, I feel it incumbent upon me as a representative of the people to register my protest; at the same time believing in the great principle of majority rule, and with a sincere desire to coöperate with my fellow members, and with the earnest hope that the bill in its entirety, when enacted into law, may give good results, I vote "aye."

A. B. CAMERON.

S. B. 662, A bill to be entitled An act relating to funding and refunding bonds of Guilford County.

Passes its third reading by the following vote and is ordered Enrolled.

Those voting in the affirmative are: Mr. Speaker, Messrs. Allen, Arndt, Aycock of Wake, Barden, Bean, Bender, Berryman, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cowles, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Eagles, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garrou, Gatling, Grady, Graham, Grant, Greer, Groves, Haynes, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Moye, McEachern, Neal, Oaks, O'Berry, Phillips, Pope, Randolph, Rouse, Ruark, Sigmon, Smith, Spruill, Stevens, Tatem, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, White, Williams, Wilson, Womble and Woodfin—81.

Those voting in the negative are: None.

H. B. 1330, A bill to be entitled An act to provide an extended public school term in the City of Charlotte, and to amend chapter 75, Private Laws, Extra Session of 1913, and section 206, chapter 342, Private Laws of North Carolina, Session, 1907.

On motion of Mr. Taylor of Mecklenburg, the bill is laid on the Table.

# CONFERENCE REPORT

To the President of the Senate and Speaker of the House of Representatives:

We, the undersigned, your Conferees appointed to consider and adjust the differences arising between the two Houses on House Bill No. 1232, title, "A bill to be entitled An act to appoint justices of the peace for the several counties of North Carolina," make the following report and recommendations:

That the House concur in each of the Senate Amendments.

Respectfully submitted,

GEORGE McNeill, David H. Fuller, MOYE, ARNDT,

Conferees on part of the Senate.

THOMPSON of Beaufort,

Conferees on part of the House.

On motion of Mr. Moye, the Conference Report is adopted, and the Senate is so notified, to the end that if they adopt a similar report the House may order the bill Enrolled.

# ENROLLED BILLS

Mr. Bender, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 405, An act to amend chapter 64, Public Laws of 1931, to withdraw Edgecombe County from the operating provision of said Act.

S. B. 406, An act to amend chapter 126, Public Laws, 1931, to withdraw Edgecombe County from the operating provision of said Act.

S. B. 638, An act validating certain tax sales in Mitchell County.

S. B. 681, An act to amend House Bill 1066, ratified April 11, 1933, entitled "An act to allow fishing in the Tennessee River and certain tributaries in Macon County."

S. B. 682, An act to provide for a special election for mayor and commissioners of the Town of Holly Springs, Wake County.

S. B. 656, An act to exempt the Town of Bakersville, Mitchell County, from the provisions of Senate Bill No. 367, relating to the sale of beer, spiritous frumenti, and other intoxicants.

S. B. 678, An act to prohibit the sale of beer and light wines in the Village of Elon College in Alamance County, North Carolina.

H. B. 248, An act to repeal section 2, chapter 238, Public-Local Laws, 1929, and to authorize the Commissioners of Haywood County to designate a depository for public funds in Haywood County.

H. B. 881, An act to repeal any and all Statutes, Laws, and clauses of Laws imposing civil or criminal liability and upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

H. B. 1001, An act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

H. B. 1141, An act to amend House Bill 158, ratified March 13, 1933, being An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes so as to provide an alternative method of notification.

H. B. 1227, An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

H. B. 1320, An act regulating the collection of delinquent taxes in Sampson County.

H. B. 1353, An act to abolish the office of the Treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said County.

H. B. 1410, An act to prohibit the Commissioners of the County of Macon from levying any special tax to pay township bonds, except in the townships where said bonds are voted and issued.

- H. B. 1494, An act to regulate the operation of bathing beaches or resorts in sections of Beaufort County.
- H. B. 1502, An act to validate the municipal election of Morehead City, held May 2, 1933.
- H. B. 1504, An act to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasants and quail in said County.
  - H. B. 774, An act to amend the North Carolina Game Laws.
- H. B. 1551, An act to compel the closure of service stations, stores, soft drink stands, and other like establishments, and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday, near Oak Ridge Military Institute, in Guilford County.
- H. B. 1553, An act amending chapter 651, Public Laws, 1909, relating to the Municipal Court of the City of Greensboro.
  - H. B. 1554, An act to create the Caswell County Historical Commission.
- H. B. 1563, An act to amend House Bill 1464, being "An act to amend Senate Bill 180, the same being 'A bill to be entitled An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates,' ratified on the 27th day of March, 1933, relative to Nash County."
- H. B. 1564, An act to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.
- H. B. 1567, An act to change the hours when the polls shall open and close in all city elections to be held in the City of Durham.
- H. B. 1568, An act to amend House Bill 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.
- H. B. 1571, An act to abolish the office of Auditor of Stokes County and to amend chapter 483, Public-Local Laws, 1931, relating to clerk hire for the Clerk of the Superior Court of said County.
- H. B. 1573, An act to exempt Granville County from the provisions of House Bill 660, ratified April 10, 1933, relating to application of fees in criminal cases to the payment of taxes.
- H. B. 1576, An act to authorize and empower the Board of County Commissioners of Mecklenburg County to refund certain taxes erroneously paid.
- H. B. 1581, An act to amend chapter 266, Private Laws of North Carolina, Session, 1923, relating to the water system of the Town of Lenoir.
- H. B. 1587, An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158; to amend Tax Sales Certificates Refunding Act of 1933, known as Senate Bill No. 180; and to exempt from the provisions of each of said Acts Mecklenburg County and the municipalities therein; and to amend Delinquent Taxpayers Act of Mecklenburg County, known as Senate Bill No. 175.
- H. B. 1608, An act to amend Senate Bill No. 339, relating to the extension of time for payment of special assessments levied by the City of Salisbury, as ratified on March 16, 1933.

- H. B. 1609, An act to amend Committee Substitute for Senate Bill 451, same being "An act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes," as ratified on April 24, 1933.
- H. B. 1358, An act for the relief of the Sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931.
- S. B. 592, An act to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County.
- S. B. 642, An act to release church property in the Town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments.
- S. B. 671, An act to amend House Bill 1059 which is entitled "An act providing for the working of prisoners on the streets of the Town of Maiden in Catawba County, North Carolina. (Applicable also to the Town of Conover.)"
  - S. B. 672, An act to authorize the issuance of scrip in Iredell County.
- S. B. 673, An act to authorize the issuance of scrip by the City of Statesville.
- S. B. 677, An act to amend Senate Bill 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said Act.
- S. B. 674, An act supplemental to and amendatory of Senate Bill No. 593, it being, "An act to amend the Charter of the Town of Morganton providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.
- H. B. 720, An act to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, Session 1929.
- H. B. 1054, An act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.
- H. B. 1088, An act to amend chapter 149 of the Public Laws of 1927, which Chapter is known as the Capital Issues Law, relating to the regulation of the sale of securities within the State of North Carolina.
- H. B. 1205, An act to amend section 1891 of the Consolidated Statutes, as amended by chapter 168, Public Laws, 1925, relating to licenses for fyke nets and motor boats.
- H. B. 1239, An act to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.
- H. B. 1241, An act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.
- H. B. 1251, An act to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.
- H. B. 1326, An act relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.
- H. B. 1397, An act to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing.

H. B. 1400, An act to permit old documents to be recorded where official seal of officer has not been affixed.

H. B. 1419, An act to amend chapter 136, Public Laws, 1927, known as the Bus Law.

H. B. 1434, An act to amend chapter 261 of the Public Laws of 1931, giving the Advisory Budget Commission authority to make rules and regulations governing the operation of the Division of Purchase and Contract.

H. B. 1478, An act to amend chapter 110, Article 6, of the Consolidated Statutes, relating to chiropractic.

H. B. 1486, An act to allow the Commissioners of the Town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

H. B. 1489, An act to clarify acts of the General Assembly of 1933, containing references to, and amendments of, the North Carolina Code.

H. B. 1502, An act to amend Senate Bill 525, relating to application for license to sell beer.

H. B. 1577, An act to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes.

H. R. 1401, A Joint Resolution petitioning the President of the United States to authorize the employment of funds and labor designated in the Reforestation Act for use on private lands for the public benefit in North Carolina.

H. R. 1496, Joint Resolution to provide for payment of cost of printing Committee Substitute for House Bill 120, "A bill to be entitled An act to raise revenue."

H. R. 1513, Joint Resolution appointing S. M. Gattis and Archibald Henderson, members of the Durham-Orange Historical Society.

H. R. 1557, A Joint Resolution to encourage the celebration of the 350th Anniversary of the founding of an English settlement on Roanoke Island.

On motion of Mr. McEachern, the House takes a recess until 3:30 o'clock.

## AFTERNOON SESSION

House of Representatives, Thursday Afternoon, May 11, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

The Speaker appoints James Aycock, son of Representative Aycock of Wayne, an Honorary Page of the House.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Doughton, for the Committee on Finance:

H. B. 1613, A bill to be entitled An act to provide for a landlord's lien in Mecklenburg County.

With an unfavorable report.

By Mr. Moss, for the Committee on Calendar:

S. B. 704, A bill to be entitled An act to amend Senate Bill No. 631, relating to tax penalities in Cumberland County, ratified May 9, 1933.

And,

S. B. 686, A bill to be entitled An act to repeal Senate Bill 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

And.

S. B. 683, A bill to be entitled An act to amend chapter 86 of the Public Laws of North Carolina, Session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

And,

S. R. 685, Joint Resolution authorizing the printing of Senate Bill 333, ratified May 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina.

And.

S. B. 696, A bill to be entitled An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes, levied for the year 1933, and thereafter.

And,

S. B. 689, A bill to be entitled An act to authorize the Commissioners of the Town of Zebulon, Wake County, to accept at face value bonds of said Town in payment of taxes or paving assessments.

And.

H. B. 1636, A bill to be entitled An act to provide for the appointment of justices of the peace for High Point Township in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township.

And,

H. B. 1637, A bill to be entitled An act authorizing the County Commissioners of Columbus County to convey to a trustee all real property bought by said County under tax foreclosure proceedings.

And.

H. B. 1649, A bill to be entitled An act to amend House Bill 158, ratified March 13, 1933, and known as "The Tax Foreclosure Act of 1933, as the same relates to Columbus County.

And.

S. B. 688, A bill to be entitled An act to amend House Bill No. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of National banks.

And,

S. B. 684, A bill to be entitled An act to amend House Bill No. 158, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

And,

S. B. 695, A bill to be entitled An act to repeal chapter 176 of the Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

With favorable reports.

And,

S. B. 715, A bill to be entitled An act to amend House Bill No. 125, being the Appropriation Bill for the State's departments, bureaus, institutions, and agencies, and for other purposes, etc.

With a favorable report.

On motion of Mr. Newman, the bill is placed on its immediate passage. Passes its second and third readings, and ordered Enrolled.

And.

S. B. 693, A bill to be entitled An act relating to funding and refunding bonds of counties and municipalities.

With a favorable report, as amended.

And,

H. B. 1650, A bill to be entitled An act to amend the Charter of the Town of Wrightsville Beach.

With an unfavorable report as to original bill, favorable as to Committee Substitute.

And.

S. R. 302, Joint Resolution requesting Congress to pass An act placing rural free delivery routes on a competitive basis.

With an unfavorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Messrs. Wilson and Johnson of Chatham: H. B. 1652, A bill to be entitled An act to extend the provisions of section 3536, section 3537, section 3538, and section 3539 of the Consolidated Statutes of North Carolina to motor busses operated by common carriers for hire.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Wilson: H. B. 1653, A bill to be entitled An act to define the limits of the Village of Yanceyville in the County of Caswell, and to prescribe the limits in said Village in which beer and other beverages mentioned in the "beverage Control Act of 1933" may be sold.

Referred to the Committee on Calendar.

By Mr. O'Berry: H. B. 1654, A bill to be entitled An act to permit localities having made a satisfactory adjustment with bondholders to supplement.

Referred to the Committee on Calendar.

By Mr. Grant: H. B. 1655, A bill to be entitled An act to reëstablish the office of farm demonstration agent for New Hanover County.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered sent to Senate without Engrossment.

#### SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 1303, A bill to be entitled An act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 1317, A bill to be entitled An act to establish banking facilities for small towns in North Carolina.

For concurrence in the Senate amendment,

On motion of Mr. Randolph, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 636, A bill to be entitled An act to provide for the levy of assessment on stockholders of banks operating under restrictions.

Referred to the Committee on Calendar.

S. B. 690, A bill to be entitled An act to amend An act of the General Assembly of North Carolina, Session 1933, entitled "An act to authorize the governing agencies in Wayne County to acquire their own obligations," and known as Senate bill No. 475.

Referred to the Committee on Calendar.

S. B. 694, A bill to be entitled An act authorizing the Board of Aldermen of the City of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws 1899, in reference thereto.

Referred to the Committee on Calendar.

S. B. 698, A bill to be entitled An act to amend Senate bill 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

Placed on the Calendar.

S. B. 699, A bill to be entitled An act to amend House bill 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

Referred to the Committee on Calendar.

S. B. 702, A bill to be entitled An act to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes, 1931, so as to allow certain officers compensation for services rendered.

Referred to the Committee on Calendar.

S. B. 703, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the Village of Worthville, Randolph County.

Referred to the Committee on Calendar.

S. B. 705, A bill to be entitled An act amending the act creating the office of tax collector in Cumberland County.

S. B. 706, A bill to be entitled An act authorizing the Sheriff of Wilson County to accept county vouchers in payment of taxes.

Referred to the Committee on Calendar.

S. B. 707, A bill to be entitled An act to amend House bill 660, same being entitled "An act to require the fees for which a county is liable under Article 5, Chapter 23, Consolidated Statutes, to be applied upon the payment of taxes," ratified April 19, 1933, so as to exempt Wilson County from the provisions of said act.

Referred to the Committee on Calendar.

S. B. 709, A bill to be entitled An act to repeal House bill 1297, ratified May 5, 1933, entitled, "An act to amend Senate bill No. 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act."

Referred to the Committee on Calendar.

S. B. 710, A bill to be entitled An act to provide the regulation and taxation of peddlers in the County of Stanly.

Referred to the Committee on Calendar.

S. B. 711, A bill to be entitled An act to district Washington County for the purpose of the nomination and election of members of the Board of County Commissioners.

Referred to the Committee on Calendar.

S. B. 712, A bill to be entitled An act exempting Pitt County from certain sections of House bill 158, passed by the 1933 Session of the General Assembly, relating to tax liens.

Referred to the Committee on Calendar,

S. B. 714, A bill to be entitled An act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

Referred to the Committee on Calendar.

Committee substitute for:

H. B. 748, A bill to be entitled An act to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

Placed on the Calendar for concurrence in the Senate substitute.

H. B. 1539, A bill to be entitled An act to authorize the governing bodies of the City of Salisbury and the Town of Spencer to cancel assessments against all churches located in said cities.

For concurrence in the Senate amendment.

On motion of Mr. Bean, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 1572, A bill to be entitled An act to authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.

Placed on the Calendar for concurrence in the Senate amendment.

H. B. 1598, A bill to be entitled An act to empower the Board of Commissioners of the City of Smithfield, Johnston County, to relieve churches of paving assessments.

For concurrence in the Senate amendment.

On motion of Mr. Woodall, the House concurs in Senate amendment, and the bill is ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1638, A bill to be entitled An act to protect hunting and fishing, and timber reservations in Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1640, A bill to be entitled An act to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County, under Senate bill 180, chapter 181, Public Laws 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1641, A bill to be entitled An act to provide for six months service of Grand Juries in Columbus County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1635, A bill to be entitled An act to amend House bill 59, ratified the 25th day of January, 1933, being "A bill to regulate lobbying."

On motion of Mr. Sullivan, the bill is recommitted to the Calendar Committee. H. B. 1365, A bill to be entitled An act to fix the salary of the Register of Deeds of Columbus County.

For concurrence in the Senate Amendment.

On motion of Mr. Wilson, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 1355, A bill to be entitled An act to authorize the creation of the office of tax collector for the County of Alamance.

For concurrence in the Senate amendment.

On motion of Mr. Thompson of Columbus, the House concurs in Senate amendment, and the bill is ordered Enrolled.

S. B. 594, A bill to be entitled An act to clarify and/or amend the Appropriations Act of 1933, House bill 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1424, A bill to be entitled An act to provide for certification of fertilizer laboratories.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1458, A bill to be entitled An act relating to a moratorium on foreclosures of mortgages and deeds of trust.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

Committee substitute for:

H. B. 1481, A bill to be entitled An act supplemental to and amendatory of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

The Committee substitute is adopted.

A Committee amendment is adopted.

As amended, the substitute bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

Substitute for:

H. B. 1304, A bill to be entitled An act regulating and providing for election of Trustees of the University of North Carolina, and to amend section 5789 of Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws, 1931.

Mr. Coffee offers a substitute for the substitute.

The question now recurs upon the adoption of the second substitute.

The second substitute fails of adoption.

The question now recurs upon the passage of the first substitute.

The first substitute passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1643, A bill to be entitled An act to amend chapter 31 of the Private Laws of 1915, relating to the number of Commissioners of the Town of Pink Hill, Lenoir County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1651, A bill to be entitled An act relating to terms of Superior Court of Yancey County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1046, A bill to be entitled An act to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

For concurrence in the Senate Amendment.

On motion of Mr. Neal, the House fails to concur, and asks for a conference. The Speaker appoints as Conferees on the part of the House, Messrs. Neal, Murphy and Douglass, and the Senate is so notified.

H. B. 905, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing of claims.

For concurrence in the Senate amendment.

On motion of Mr. Barden, the House concurs in Senate amendment, and the bill is ordered Enrolled.

H. B. 1318, A bill to be entitled An act authorizing a special tax levy for the expense of revaluing property in Sampson County.

Passes its second reading by the following vote and takes its place on the Calendar:

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Cherry, Cover, Cowles, Crews, Dees, Doughton of Alleghany, Douglass, Eagles, Etheridge, Everett, Ewing, Flanagan, Galloway, Gardner, Garibaldi, Garrou, Grady, Grant, Greer, Groves, Haynes, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace,

Massenburg, Mizzell, Monroe, Moore, Morphew, Moss, Murphy, Neal, Newman, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Sigmon, Smith, Stevens, Sullivan, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Williams, Wilson, Woodall and Woodfin—74.

Those voting in the negative are: None,

Mr. Morphew moves that the vote by which House bill 1218, a bill to be entitled An act to create the Daniel Boone National Forest Park and to provide for coöperation by the State of North Carolina with the Federal Government in the reforestation of the Tennessee River Basin in Western North Carolina, failed to pass its second reading, be reconsidered.

The motion fails of adoption.

On motion of Mr. Dees, the House takes a recess until 8:00 o'clock tonight.

# NIGHT SESSION

House of Representatives, Thursday Night, May 11, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. McEachern, for the Committee on Agriculture:

H. B. 1420, A bill to be entitled An act to regulate and provide for the inspection, grading and testing of milk, and to provide standards for the same.

With an unfavorable report as to bill, favorable report as to Committee substitute bill.

By Mr. Makepeace, for the Committee on Game.

H. B. 868, A bill to be entitled An act to provide a close season for four years for hunting quail or partridge in Yadkin County.

With an unfavorable report as to bill; favorable report as to Committee substitute bill.

# INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Wilson: H. B. 1656, A bill to be entitled An act to repeal all acts passed at the session of the General Assembly of North Carolina of 1933 that might and does conflict with any of the provisions of House bill No. 914, known as the "Act to provide for listing and valuing of all property, real, personal and mixed, at its true value in money," ratified on the third day of April, 1933.

Placed on the Calendar.

By Mr. Doughton of Alleghany: H. B. 1657, A bill to be entitled An act supplemental to and amendatory of House bill No. 120, entitled "An act to raise revenue," passed and ordered Enrolled May 11, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Mr. Douglass: H. B. 1658, A bill to be entitled An act to authorize the Town of Wendell to accept its own bonds in payment of taxes and street assessments, and to purchase its own bonds,

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1659. A bill to be entitled An act relating to tax collector and auditor of Columbus County.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

By Mr. Crews: H. B. 1660, A bill to be entitled An act to prevent fraud and deception in the sale of rebuilt electric storage batteries, and prescribing penalties for the violations thereof.

Referred to the Committee on Calendar.

# SPECIAL MESSAGES FROM THE SENATE

The following messages are received from the Senate:

SENATE CHAMBER,

Mr. Spedker:

May 11, 1933.

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has declined to concur in House amendments to Senate bill No. 156, title, "To promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State; for a term of eight months without the levy of an ad valorem tax therefor," and asks for a conference thereon. The President has appointed as Conferees on the part of the Senate, Senators MacLean, Griffin of Chowan and Clements.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Pursuant to the above message, the Speaker appoints as Conferees on the part of the House, Messrs. Graham, Beasley, James, Smith and Aycock of Wake, and the Senate is so notified.

SENATE CHAMBER,

Mr. Speaker:

May 11, 1933.

It is ordered that a message be sent the House of Representatives informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Hanes and Hinsdale, to act as Conferees with your appointees to consider the differences arising on House bill No. 1046, title "To amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties," and to adjust the same.

Respectifully,

LEROY MARTIN,

Clerk of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of, as follows:

H. B. 1303, A bill to be entitled An act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District, in Iredell County.

For concurrence in Senate amendments.

On motion of Mr. Turner of Iredell, the House concurs in the Senate amendments and the bill is ordered Enrolled.

H. B. 1572, A bill to be entitled An act to authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.

For concurrence in the Senate Amendments.

On motion of Mr. Hamilton, the House fails to concur in the Senate amendments, and asks for a conference.

The Speaker appoints as Conferees on the part of the House, Messrs. Hamilton, Tompkins, and Moye, and the Senate is so notified.

H. B. 1637, A bill to be entitled An act authorizing the County Commissioners of Columbus County to convey to a trustee all real property bought by said County under tax foreclosure proceedings.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1649, A bill to be entitled An act to amend House bill No. 159, ratified March 13, 1933, and known as "The Tax Foreclosure Act of 1933," as the same relates to Columbus County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

S. B. 689, A bill to be entitled An act to authorize the Commissioners of the Town of Zebulon, Wake County, to accept at face value bonds of said town in payment of taxes or paving assessments.

Passes its second and third readings and is ordered Enrolled.

S. B. 684, A bill to be entitled An act to amend House bill No. 158, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered Enrolled.

S. B. 695, A bill to be entitled An act to repeal chapter 176, Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

Passes its second and third readings and is ordered Enrolled.

S. B. 696, A bill to be entitled An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter.

Passes its second and third readings and is ordered Enrolled.

S. B. 698, A bill to be entitled An act to amend Senate bill No. 334, ratified the 27th day of March, 1933, same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

Passes its second and third readings and is ordered Enrolled.

Committee substitute for H. B. 1650, A bill to be entitled An act to amend the charter of the Town of Wrightsville Beach.

Committee substitute bill adopted.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

The original bill is laid on the table.

H. B. 1636, A bill to be entitled An act to provide for the appointment of Justices of the Peace for High Point Township, in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1121, A bill to be entitled An act to amend chapter 192 of the Private Laws of 1899, and chapter 231 Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the Town of Windsor, in Bertie County.

For concurrence in the Senate amendment.

On motion of Mr. Spruill, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 1309, A bill to be entitled An act for the protection of buyers and sellers of leaf tobacco.

For concurrence in the Senate amendment.

On motion of Mr. Flanagan, the House concurs in the Senate amendment and the bill is ordered Enrolled.

Senate substitute for H. B. 748, A bill to be entitled An act to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

For concurrence in the Senate substitute bill.

On motion of Mr. Thompson of Columbus, the Senate substitute bill is adopted.

Passes its second and third readings and is ordered Enrolled.

The original bill is laid on the table.

H. B. 1500, A bill to be entitled An act to amend chapter 260 of the Public Laws of North Carolina, Session of 1931, and chapter 204, Public Laws of North Carolina, Session of 1929, relating to tax sales.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1522, A bill to be entitled An act to amend section 4458, Consolidated Statutes of North Carolina, in regard to penalties for public drunkenness.

On motion of Mr. Gardner, the bill is laid on the table.

H. R. 1565, A joint resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on Route 91, across Wilkerson's Creek, in Hyde County.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1578, A bill to be entitled An act to amend An act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses," and being Committee substitute for House bill No. 446.

Passes its second and third readings and is ordered sent to the Senate without Engrossment.

H. B. 1579, A bill to be entitled An act supplemental to Senate bill 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933.

On motion of Mr. Johnson of Pender, the bill is recalled from the Calendar Committee and placed on the Calendar for its immediate passage.

On motion of Mr. Bowie, the bill is laid on the table.

On motion of Mr. Gardner, the House adjourns and will meet tomorrow at eleven o'clock a.m.

# ONE HUNDRED ELEVENTH DAY

House of Representatives, Friday, May 12, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Rev. A. S. Parker of the City of Raleigh.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

On motion of Mr. Moss, S. B. 698, A bill to be entitled An act to amend S. B. 334, ratified the 27th day of March, 1933, the same being entitled An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville, is ordered recalled from the Enrolling office for further consideration by the House.

On motion of Mr. Moss, H. B. 1470, A bill to be entitled An act to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants, is taken from the Committee on Judiciary No. 1, and recommitted to the Calendar Committee.

On motion of Mr. Cameron, S. B. 702, A bill to be entitled An act to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes, 1931, so as to allow certain officers compensation for services rendered,

is taken from the Unfavorable Calendar and recommitted to the Calendar Committee

On motion of Mr. Taylor of Mecklenburg, S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County, is taken from the table and placed on the Calendar.

On motion of Mr. Etheridge, S. B. 575, A bill to be entitled An act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina, is taken from the Committee on Banks and Banking, and recommitted to the Calendar Committee.

On motion of Mr. Etheridge, S. B. 634, A bill to be entitled An act to regulate the time limit for liquidation of defunct banks in Rutherfard County, is taken from the Committee on Banks and Banking, and recommitted to the Calendar Committee.

On motion of Mr. Turner of Guilford, H. B. 1654, A bill to be entitled An act to permit localities having made a satisfactory adjustment with bond-holders to supplement, is taken from the Unfavorable Calendar and recommitted to the Calendar Committee.

## CONFERENCE REPORT

To the President of the Senate and Speaker of the House of Representatives:

We, the undersigned, your Conferees, appointed to consider and adjust the differences arising between the Houses on House bill No. 782, title, "Reducing the salaries of certain officers of Wake County," make the following report and recommendations:

That the Senate recede from its amendments.

Respectfully submitted,

JNO. W. HINSDALE,
C. E. BLACKSTOCK,
Conferees on the part of the Senate.

S. E. Douglass, Thomas O'Berry,

Conferees on the part of the House.

On motion of Mr. Douglass, the Conference Report is adopted, and the Senate is so notified, to the end that if they adopt a similar report, the House may order the bill Enrolled.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar:

S. B. 574, A bill to be entitled An act supplemental to and amendatory of Senate bill No. 238, entitled "A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue,

and to require said Patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Acts of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department, and to limit the number of vehicle inspectors," ratified April 15, 1933, it being An act transferring the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue, etc.

And.

S. B. 714, A bill to be entitled An act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

And,

H. B. 1660, A bill to be entitled An act to prevent fraud and deception in the sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.

And,

S. B. 707, A bill to be entitled An act to amend H. B. 660, same being entitled "An act to require the fees for which a county is liable under article 5, chapter 23. Consolidated Statutes, to be applied upon the payment of taxes," ratified April 10, 1933, so as to exempt Wilson County from the provisions of said act.

And.

H. B. 1653, A bill to be entitled An act to define the limits of the Village of Yanceyville in the County of Caswell, and to prescribe the limits in said village in which beer and other beverages mentioned in the "Beverage Control Act of 1933" may be sold.

And.

S. B. 699, A bill to be entitled An act to amend H. B. 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

And.

S. B. 694, A bill to be entitled An act authorizing the Board of Aldermen of the City of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws 1899, in reference thereto.

And.

S. B. 712, A bill to be entitled An act exempting Pitt County from certain sections of House bill 158, passed by the 1933 Session of the General Assembly, relating to tax liens.

And,

S. B. 705, A bill to be entitled An act amending the act creating the office of Tax Collector in Cumberland County.

And,

S. B. 703, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the Village of Worthville, Randolph County.

And.

S. B. 706, A bill to be entitled An act authorizing the Sheriff of Wilson County to accept county vouchers in payment of taxes.

And.

S. B. 709, A bill to be entitled An act to repeal H. B. 1297, ratified May 5, 1933, entitled "An act to amend S. B. No. 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act."

And,

H. B. 1470, A bill to be entitled An act to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

With favorable reports,

And,

S. B. 690, A bill to be entitled An act to amend An act of the General Assembly of North Carolina, Session 1933, entitled "An act to authorize the governing agencies in Wayne County to acquire their own obligations," and known as Senate bill No. 475.

With a favorable report.

On motion of Mr. O'Berry, the bill is placed on its immediate pasage.

Passes its second and third readings, and ordered Enrolled.

And,

S. B. 711, A bill to be entitled An act to district Washington County for the purpose of the nomination and election of members of the Board of County Commissioners.

With a favorable report.

On motion of Mr. Mizzell, the bill is placed on its immediate passage. Passes its second and third readings, and is ordered Enrolled.

And

H. B. 1642, A bill to be entitled An act to provide for the organization, incorporation and operation of cash depositories in the County of Guilford.

With a favorable report, as amended.

And.

S. B. 580, A bill to be entitled An act to amend chapter 83, Public Laws 1931, relating to the release of land upon payment of tax on each particular piece and to provide for subrogation and contribution to those paying taxes on lands of others.

And,

S. B. 636, A bill to be entitled An act to provide for the levy of assessment on stockholders of banks operating under restrictions.

And,

S. B. 649, A bill to be entitled An act to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor.

And.

S. B. 702, A bill to be entitled An act to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes 1931, so as to allow certain officers compensation for services rendered.

And.

S. B. 668, A bill to be entitled An act to authorize the issuance of scrip by the City of Asheville.

And.

S. B. 710, A bill to be entitled An act to provide the regulation and taxation of peddlers in the County of Stanly.

And,

S. B. 669, A bill to be entitled An act to authorize the issuance of scrip by the County of Buncombe.

And.

 $H.\ B.\ 734,\ A$  bill to be entitled An act to regulate huckleberry dealers in Bladen County.

And,

H. B. 1082, A bill to be entitled An act to allow survivors of any deceased person to provide a burial uncontrolled by monopolists.

And,

H. B. 1280, A bill to be entitled An act to amend section 1864 of the Consolidated Statutes, relating to depredations of domestic fowls in Gates County. And.

H. B. 1413, A bill to be entitled An act to require the Highway Commission to take over a certain road leading to Cullowhee Gap in Jackson County.

And,

 $H.\ B.\ 1630,\ A$  bill to be entitled An act providing for a more economic liquidation of the assets of losed banks in North Carolina.

And,

H. B. 1654, A bill to be entitled An act to permit localities having made a satisfactory adjustment with bondholders to supplement.

With unfavorable reports.

By Mr. Graham, for the Committee on Education:

H. B. 1561, A bill to be entitled An act to permit Southern Pines Special Charter School District, in Moore County, to supplement its school fund.

With a favorable report.

And.

S. B. 530, A bill to be entitled An act to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County. And.

H. R. 327, Joint resolution relative to Trinity Parent-Teachers' Association. And.

H. B. 637, A bill to be entitled An act to encourage perfect attendance in the public schools of North Carolina.

And,

H. B. 999, A bill to be entitled An act to provide for the holding of an election in Leaksville Township Public School District for the purpose of voting upon the repeal of the levy of the special school tax in said district.

With unfavorable reports.

By Mr. Doughton, for the Committee on Finance:

H. B. 1460, A bill to be entitled An act to authorize the Board of Commissioners of Wake County to issue bonds to fund a valid and outstanding indebtedness of the School Committee of Raleigh Township.

Bill reported without prejudice.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Johnson of Chatham: H. B. 1661, A bill to be entitled An act to amend House Bill No. 774, entitled "An act to amend the North Carolina Game Laws," ratified May 11, 1933.

Referred to the Committee on Calendar.

And.

H. B. 1662, A bill to be entitled An act to amend Senate Bill No. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates," ratified March 27, 1933.

Referred to the Committee on Calendar.

By Mr. Wilson: H. B. 1663, A bill to be entitled An act supplemental to An act relating to the fees for registering Federal crop liens and Federal chattel mortgages, being Senate Bill 313, ratified March 20, 1933, as amended, applying to Caswell and Person counties.

Passed first reading.

Rules suspended.

As amended, passes its second and third readings and ordered sent to Senate without Engrossment.

By Mr. Sullivan: H. B. 1664, A bill to be entitled An act to amend chapter 121, Private Laws of 1931, in order to clarify the election laws of the City of Asheville.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1665, A bill to be entitled An act authorizing the Board of Commissioners of Columbus County to accept settlement for past-due indebtedness.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Boyd: H. B. 1666, A bill to be entitled An act to amend H. B. 1274, it being "An act to amend chapter 86, Public-Local Laws of 1931, being An act to place officers of Mecklenburg County on salaries.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Flanagan: H. B. 1667, A bill to be entitled An act to extend the benefit of Senate Bill 180, chapter 181, Public Laws 1933, to taxpayers owing taxes upon personal property as well as upon real estate.

Passed first reading.

Rules suspended.

As amended, the bill passes its second reading and remains on the Calendar.

By Messrs. Tompkins and Hutchins: H. B. 1668, A bill to be entitled An act to regulate the distribution of public funds and collect license fees in certain counties in North Carolina.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Woodall: H. B. 1669, A bill to be entitled An act to appoint S. M. Boyette, D. P. Spell and N. H. Barber, Justices of the Peace in Johnston County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Makepeace: H. B. 1670, A bill to be entitled An act to authorize the Board of Commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ruark: H. B. 1671, A bill to be entitled An act to allow compensation to the Board of Aldermen of the City of Southport, North Carolina, for regular meeting.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cowles: H. B. 1672, A bill to be entitled An act to repeal chapter 160 of the Public-Local Laws of 1931, same being An act to reduce the fee allowed for seizure of illicit stills in Yadkin County from \$20 to \$10.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Haynes: H. B. 1673, A bill to be entitled An act to amend Senate Bill No. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Surry County from the operation of said Act.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Scarborough: H. B. 1674, A bill to be entitled An act to permit the taxing of certain peddlers in Richmond County.

Placed on the Calendar.

By Mr. Culpepper: H. B. 1675, A bill to be entitled An act creating an agricultural and breeders' association for the County of Pasquotank on approval by the voters of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Murphy: H. R. 1676, A bill to be entitled An act to remit all tax penalties on uncollected taxes for the year 1932, in the County of Rowan and the municipalities therein.

Placed on the Calendar.

By Mr. Turner of Iredell, by request: H. B. 1677, A bill to be entitled An act authorizing the Division of Purchase and Contract of the State of North Carolina to request bids and enter into a contract with some manufacturing optical company for furnishing eye glasses and frames to any county welfare department, board of charities, school teacher, school principal, school superintendent, civic clubs and any other organization doing charitable work.

Referred to the Committee on Calendar.

By Mr. Gatling: H. B. 1678, A bill to be entitled An act relating to certain fees of Clerk Superior Court, Gates County.

Referred to the Committee on Calendar.

By Mr. Eagles: H. B. 1679, A bill to be entitled An act to amend Senate Bill  $31\overline{8}$ , being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

Referred to the Committee on Calendar.

By Dr. Douglass: H. B. 1680, A bill to be entitled An act to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

Referred to the Committee on Calendar.

By Mr. Monroe: H. B. 1681, A bill to be entitled An act relating to the advertisement of delinquent taxes in Montgomery County.

Referred to the Committee on Calendar.

By Messrs. Ewing and Young: H. B. 1682, A bill to be entitled An act to amend the North Carolina Game Laws relating to hunting in Cumberland and Harnett counties.

Referred to the Committee on Calendar.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 604, A bill to be entitled An act to repeal House Bill 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes.

Referred to the Committee on Finance.

S. B. 717, A bill to be entitled An act relating to the Charter of the Town of Elm City.

Referred to the Committee on Calendar.

S. B. 720, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Cumberland County.

Referred to the Committee on Calendar.

S. B. 721, A bill to be entitled An act to validate certain tax sales in Cumberland County and the City of Fayetteville.

Referred to the Committee on Calendar.

S. B. 732, A bill to be entitled An act relating to the public road system of Wilson County.

Referred to the Committee on Calendar.

H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

Placed on the Calendar for concurrence in the Senate Amendment.

On motion of Mrs. Mebane, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 926, A bill to be entitled An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

For concurrence in the Senate Amendment.

On motion of Mr. Taylor of Mecklenburg, the House fails to concur in the Senate Amendment, and asks for a Conference. The Speaker appoints as Conferees on the part of the House, Messrs. Bender, Haynes and Randolph, and the Senate is so notified.

H. B. 1341, A bill to be entitled An act to place the names of certain Confederate soldiers and widows of Confederate soldiers on the Pension list.

For concurrence in the Senate Amendment.

On motion of Mr. Thomas, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 723, A bill to be entitled An act to amend House Bill 1232, being An act to appoint justices of peace in the several counties in North Carolina.

Referred to the Committee on Calendar.

S. B. 724, A bill to be entitled An act providing for the Mayor of the City of Hendersonville to serve as Juvenile Judge of the said City.

Referred to the Committee on Calendar.

S. B. 725, A bill to be entitled An act to authorize the Commissioners of the Town of Selma to appoint a cotton weigher for said Town and to fix the compensation of said cotton weigher.

Referred to the Committee on Calendar,

S. B. 726, A bill to be entitled An act to authorize the Commissioners of Johnston County in their discretion to establish, erect and maintain an institution for the care of female prisoners.

Referred to the Committee on Calendar.

S. B. 727, A bill to be entitled An act to amend Senate Bill 665, being entitled "An act to prohibit the exhibition of any free medicine shows or like performances in Catawba County.

On motion of Mr. Garrou, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 729, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932 in Hoke County.

Referred to the Committee on Calendar.

S. B. 730, A bill to be entitled An act to repeal House Bill 1560, entitled a Joint Resolution making the Chicadee the official bird of the State.

Referred to the Committee on Calendar.

S. B. 731, A bill to be entitled An act to exempt drainage districts in Pitt County from operation of certain sections of Senate Bill No. 180, passed by the 1933 session of the General Assembly, relating to tax liens.

Referred to the Committee on Calendar.

H. B. 1428, A bill to be entitled An act to authorize the Commissioners of Johnston County to retire sinking fund loans with county bonds.

For concurrence in the Senate Amendment.

On motion of Mr. Woodall, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1624, A bill to be entitled An act to amend chapter 427, Public-Local Laws 1927, relating to salary of the Sheriff of Guilford County.

For concurrence in the Senate Amendment.

On motion of Mr. Moore, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

### SPECIAL MESSAGES

SENATE CHAMBER, May 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendments to S. B. 589, title, "To allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties, to come under the provisions of House Bill No. 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations," and asks for a Conference thereon. The President has appointed on the part of the Senate, Senators Moore and Waynick.

Respectfully,

LEROY MARTIN, Clerk of Senate.

Pursuant to above notice, the Speaker appoints as Conferees on the part of the House, Messrs. Etheridge, Sullivan and Eagles, and the Senate is so notified.

SENATE CHAMBER, May 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conferees' Report on House Bill No. 1232, title, "To appoint justices of the peace for

the several counties of North Carolina," to the end that you may order the bill Enrolled if similar action has been taken by your Body.

# Respectfully,

LEROY MARTIN, Clerk of Senate.

Both Bodies having adopted the Conference Report, the House orders the bill Enrolled.

SENATE CHAMBER, May 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conferees' Report on H. B. 782, title, "Reducing the salaries of certain officers of Wake County," to the end that you may order the bill Enrolled if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of Senate.

Both Houses having adopted the Conference Report, the House orders the bill Enrolled.

SENATE CHAMBER, May 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conferees' Report on House Bill 627, title, "To amend S. B. 395, being An act to amend the Charter of the City of Asheville, pertaining to the reduction of salaries of councilmen and other employees," to the end that you may order the bill Enrolled if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of Senate.

Both Houses having adopted the Conference Report, the House orders the bill Enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

House substitute for:

S. B. 698, A bill to be entitled An act to amend Senate Bill No. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville.

Having been recalled from the Enrolling office, on motion of Mr. Moss, the vote by which the bill passed its third reading is reconsidered.

Mr. Moss offers a substitute for the bill.

Substitute is adopted.

Passes its second and third readings and is ordered sent to the Senate for concurrence in the House Substitute.

S. B. 704, A bill to be entitled An act to amend Senate Bill No. 631, relating to tax penalities in Cumberland County, ratified May 9, 1933.

Passes its second and third readings, and is ordered Enrolled.

Committee substitute for:

H. B. 868, A bill to be entitled An act to provide a close season for four years for hunting quail or partridge in Yadkin County.

Committee substitute adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

S. B. 444, A bill to be entitled An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race of Robeson County.

Messrs. Graham and Thompson of Robeson offer a substitute for the bill.

Substitute is adopted.

Passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Substitute.

Committee substitute for:

H. B. 1420, A bill to be entitled An act to regulate and provide for the inspection, grading and testing of milk and to provide standards for the same.

Committee substitute is adopted.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

H. B. 1583, A bill to be entitled An act to regulate and fix the salaries of employees engaged in the liquidation of insolvent banks.

On motion of Mr. Sullivan, the bill is laid on the Table.

H. B. 1595, A bill to be entitled An act authorizing postponement of sales for certain delinquent taxes and special assessments.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1601, A bill to be entitled An act to amend chapter 113, Public Laws 1927, relating to distribution of the assets of insolvent banks.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1603, A bill to be entitled An act relating to, and providing for, settlement between counties and the State in certain cases where counties are in default on account of loans made out of the Literary Fund and/or the Special Building Funds.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1604, A bill to be entitled An act to repeal Senate Bill 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 345, A bill to be entitled An act regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 512, A bill to be entitled An act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1318, A bill to be entitled An act authorizing a special tax levy for the expense of revaluing property in Sampson County.

Passes its third reading by the following vote and is ordered sent to the Senate without Engrossment.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wayne, Barden, Bean, Bender, Berryman, Binford, Bowie, Braddy, Cameron, Cherry, Coffey, Cover, Cox, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, Etheridge, Everett, Ewing, Flanagan, Gardner, Garibaldi, Garrou, Gatling, Grant, Greer, Groves, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Lumpkin, Massenburg, Mebane, Mizzell, Monroe, Moore, Morphew, Moss, Moye, Neal, Newman, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Spruill, Stevens, Sullivan, Tatem, Taylor of Currituck, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Williams, Wilson, Womble and Woodall—77.

Those voting in the negative are: None.

### ENROLLED BILLS

Mr. Bender for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

S. B. 582, An act to permit the deposit of monies of the State, county, city, town, or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security.

S. B. 684, An act to amend House Bill No. 158, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

S. B. 689, An act to authorize the Commissioners of the Town of Zebulon, Wake County, to accept at face value bonds of said Town in payment of taxes or paving assessments.

S. B. 695, An act to repeal chapter 176 of the Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

S. B. 696, An act to authorize empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes, levied for the year 1933, and thereafter.

H. B. 1633, An act amending chapter 210 of the Public-Local Laws of the year 1889, relative to the Charter of the Town of Cary, Wake County, North Carolina.

- H. B. 699, An act to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.
- H. B. 732, An act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the turn pike road connecting the settlements in Washington County and Beaufort County.
- H. B. 748, An act to amend the Textbook Commission Law for North Carolina and to provide for greater economy and efficiency for the adoption and use of the textbooks in the schools of North Carolina.
- H. B. 994, An act to amend section 5168 (d), Volume III, of the Consolidated Statutes, relative to County Boards of Pensions.
- H. B. 1121, An act to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927 and to fix the corporate limits of the Town of Windsor, in Bertie County.
- H. B. 1303, An act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.
- H. B. 1309, An act for the protection of buyers and sellers of leaf tobacco.
- H. B. 1562, An act to amend House Bill 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.
- H. B. 1589, An act to amend An act ratified January 27, 1933, entitled "An act to expedite the trial of criminal cases and to dispense with jury trial therein."
- H. B. 1615, An act to validate certain procedure in regard to street assessments in the Town of Littleton.
- H. B. 1616, An act to amend House Bill 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.
- H. B. 1617, An act to amend Senate Bill 180, being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified March 27, 1933.
- H. B. 1619, An act supplemental to and amendatory of Senate Bill No. 135, it being, "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.
- H. B. 1621, An act to prohibit the setting of steel traps in Scotland County.
- H. B. 1631, An act to prohibit the beverages mentioned in the "Beverage Control Act" of 1933 from being sold within one mile of Pelham M. E. Church, South in Caswell County.
- H. B. 1626, An act to authorize the Board of Commissioners of Craven County to transfer to the General Fund certain assets.
- H. B. 1629, An act regulating the salary of the Deputy Sheriff of Columbus County.

- H. B. 1632, An act to allow the Commissioners of the Town of East Flat Rock of Henderson County to accept bonds in payment of certain taxes.
- S. B. 594, An act to clarify and/or amend the Appropriations Act of 1933, House Bill 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.
- S. B. 657, An act to provide for the City of Goldsboro to accept its bonds in the payment of City taxes.
- S. B. 662, An act relating to funding and refunding bonds of Guilford County.
- S. B. 715, An act to amend House Bill No. 125, being the Appropriation Bill for the State's departments, bureaus, institutions, and agencies, and for other purposes, etc.
- H. B. 361, An act to amend chapter 120 of Public Laws of 1929 exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.
- H. B. 905, An act to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing of claims.
- H. B. 1187, An act to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.
- H. B. 1274, An act to amend chapter 86 of the Public-Local Laws of 1931, being An act to place the officers of Mecklenburg County on salaries.
- H. B. 1317, An act to establish banking facilities for small towns in North Carolina.
- H. B. 1355, An act to authorize the creation of the office of tax collector for the County of Alamance.
- H. B. 1365, An act to fix the salary of the Register of Deeds of Columbus County.
- H. B. 1389, An act to authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the Town of Bryson City.
- H. B. 1474, An act supplemental to An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes, ratified March 13, 1933.
- H. B. 1518, An act to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the Public Health Law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same.
- H. B. 1538, An act to fix the punishment for unlawful fishing and trespass at Moore's Pond in Franklin County.
- H. B. 1539, An act to authorize the governing bodies of the City of Salisbury and the Town of Spencer to cancel assessments against all churches located in said Cities.
- H. B. 1546, An act to repeal House Bill 1146, entitled An act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the County of New Hanover, enrolled and ratified April 5, 1933.

- H. B. 1549, An act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Quaker Children's Home in Moore County. (Applicable also to Wingate Junior College in Union County.)
- H. B. 1566, An act to reënact chapter 430 of the Public Local Laws of 1925 and to require the Clerk of the Superior Court and the Register of Deeds to keep their offices open during office hours, relating to Caswell County.
- H. B. 1570, An act to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.
- H. B. 1580, An act to prohibit the sale of beer or other alcoholic beverage in Stumpy Point voting precinct, Dare County.
- H. B. 1582, An act to amend chapter 196 of the Public Laws of 1913 and to repeal chapter 87 of the Public Laws of 1913, relating to terms of court in Chowan and Beaufort counties.
- H. B. 1584, An act to amend House Bill 158, ratified March 13, 1933, same being, "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and municipalities therein.
- H. B. 1592, An act appointing a cotton weigher for the Town of Spring Hope in Nash County.
- H. B. 1594, An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County.
- H. B. 1596, An act supplemental to and amending House Bill No. 924, A bill to be entitled An act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County, ratified March 15, 1933.
- H. B. 1597, An act to amend chapter 273, Public Laws 1929, relating to the jurisdiction of justices of the peace to try certain criminal cases involving worthless checks, placing the Counties of Swain, Clay, Graham, Macon, Cherokee, Greene and Scotland under the provisions of said Act.
- H. B. 1598, An act to empower the Board of Commissioners of the City of Smithfield, Johnston County, to relieve churches of paving assessments.
- H. B. 1599, An act to amend Senate Bill 180, now chapter 181, Public Laws 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," relating to costs in tax sales in Johnston County.
- H. B. 1605, An act to authorize the Town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.
  - H. B. 1606, An act to abolish the Recorder's Court of Elkin, Surry County.
  - H. B. 1607, An act to prohibit the setting of steel traps in Robeson County.
- H. B. 1611, An act to amend House Bill 1405, entitled, "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.
- H. B. 1612, An act to amend chapter 63 of the Private Laws of 1915, relating to the Charter of the Town of Benson.
- H. B. 1628, An act to amend House Bill 158 and House Bill 180 to exempt Dare County and the municipalities therein from the provisions of said Acts.

On motion of Mr. Doughton, the House takes a recess until 4:00 o'clock p.m.

# AFTERNOON SESSION

House of Representatives, Friday Afternoon, May 12, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing Committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Mr. Moss, for the Committee on Calendar:

H. B. 1635, A bill to be entitled An act to amend H. B. 59, ratified the 25th day of January, 1933, being a bill to regulate lobbying.

And.

S. B. 730, A bill to be entitled An act to repeal House Bill No. 1560, entitled Joint Resolution, making the chickadee the official bird of the State.

Bills reported without prejudice.

And.

S. B. 702, A bill to be entitled An act to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes, 1931, so as to allow certain officers compensation for services rendered.

And,

S. B. 607, A bill to be entitled An act to validate certain sales by Commissioners under judgments of the Superior Courts of North Carolina in actions for the foreclosure of mortgages and deeds of trust, where the Judges of the Superior Courts have ordered the Commissioners, so appointed, to sell the property conveyed by the mortgage or deed of trust to report the sale to the Clerk of the Superior Court for confirmation.

And,

S. B. 575, A bill to be entitled An act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

And.

S. B. 634, A bill to be entitled An act to regulate the time limit for liquidation of defunct banks in Rutherford County.

With unfavorable reports.

And

S. B. 731, A bill to be entitled An act to exempt drainage districts in Pitt County from operation of certain sections of Senate Bill No. 180, passed by the 1933 Session of the General Assembly, relating to tax liens.

And.

H. B. 1654, A bill to be entitled An act to permit localities having made a satisfactory adjustment with bondholders to supplement.

And,

H. B. 1661, A bill to be entitled An act to amend House Bill No. 774, entitled "An act to amend the North Carolina Game Laws," ratified May 11, 1933.

And.

H. B. 1662, A bill to be entitled An act to amend Senate Bill No. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

And,

H. B. 1677, A bill to be entitled An act authorizing the Division of Purchase and Contract of the State of North Carolina to request bids and enter into a contract with some manufacturing optical company for furnishing eye glasses and frames to any county welfare department, board of charities, school teacher, school principal, school superintendent, civic clubs, and any other organization doing charitable work.

And.

H. B. 1681, A bill to be entitled An act relating to the advertisement of delinquent taxes in Montgomery County.

And,

H. B. 1682, A bill to be entitled An act to amend the North Carolina Game Laws, relating to hunting in Cumberland and Harnett counties.

And.

S. B. 717, A bill to be entitled An act relating to the Charter of the Town of Elm City.

And,

H. B. 1678, A bill to be entitled An act, relating to certain fees of Clerk Superior Court, Gates County.

And,

S. B. 720, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932 in Cumberland County.

And,

S. B. 721, A bill to be entitled An act to validate certain tax sales in Cumberland County and the City of Fayetteville.

And,

S. B. 723, A bill to be entitled An act to amend House Bill 1232, being "An act to appoint justices of the peace in the several counties in North Carolina."

And,

S. B. 725, A bill to be entiled An act to authorize the Commissioners of the Town of Selma to appoint a cotton-weigher for said Town, and to fix the compensation of said cotton-weigher.

And.

S. B. 726, A bill to be entitled An act to authorize the Commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners.

And,

S. B. 729, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932 in Hoke County.

With favorable reports.

And,

H. B. 1679, A bill to be entitled An act to amend Senate Bill 318, being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

And,

H. B. 1680, A bill to be entitled An act to appoint E. H. Ballentine a Justice of the Peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

With favorable reports, as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Messrs. Johnson of Pender and Bowie: H. B. 1683, A bill to be entitled An act supplemental to Senate Bill 180, it being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933.

Placed on the Calendar.

By Dr. Douglass: H. B. 1684, A bill to be entitled An act regulating the salaries of certain officers of Wake County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

## MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 746, A bill to be entitled An act to repeal An act "To provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933.

Referred to the Committee on Calendar.

H. B. 1284, A bill to be entitled An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

For concurrence in the Senate Amendment.

On motion of Mr. Lumpkin, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 1291, A bill to be entitled An act to consolidate under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the motor vehicle laws.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 728, A bill to be entitled An act to regulate the election of the municipal officers for the town of Asheboro.

On motion of Mr. Cameron, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 737, A bill to be entitled An act to transfer the Division of Weights and Measures to the Department of Revenue, and for other purposes.

Referred to the Committee on Calendar.

S. B. 544, A bill to be entitled An act to amend S. B. 180, Public Laws of 1933, ratified on the 27th day of March, 1933, being An act to allow the

counties, municipalities and other governing agencies to refund tax sales certificates.

Referred to the Committee on Calendar.

S. B. 626, A bill to be entitled An act to authorize the State Highway Commission to designate certain roads as light traffic roads.

Referred to the Committee on Calendar.

S. B. 718, A bill to be entitled An act to amend chapter 149, Public Laws, 1927, which is An act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the Act up to date and to strengthen its provisions.

Referred to the Committee on Calendar.

S. B. 742, A bill to be entitled An act regulating the payment of taxes of political subdivisions of the State in bonds of such subdivisions.

Referred to the Committee on Calendar.

S. B. 743, A bill to be entitled An act giving the County Commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said County.

Referred to the Committee on Calendar.

H. B. 397, A bill to be entitled An act regulating the open season for game and providing for certain license fees in the County of Ashe.

For concurrence in the Senate Amendment.

On motion of Mr. Bowie, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 1443, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

For concurrence in the Senate Amendments.

On motion of Mr. Ray, the House concurs in Senate Amendments, and the bill is ordered Enrolled.

S. B. 197, A bill to be entitled An act to repeal chapter 28, Public Laws of 1929, being An act to amend chapter 22, section 1938, of the Consolidated Statutes of North Carolina, relating to corporations.

Referred to the Committee on Calendar.

S. B. 701, A bill to be entitled An act to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner.

Referred to the Committee on Calendar.

S. B. 719, A bill to be entitled An act relative to drainage assessments. On motion of Mr. Mizzell, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

S. B. 734, A bill to be entitled An act regulating the sale of inferior automobile tires.

Referred to the Committee on Calendar.

S. B. 735, A bill to be entitled An act to create a police and firemen's relief fund for persons engaged in departmental service in the City of High Point.

Referred to the Committee on Calendar.

S. B. 736, A bill to be entitled An act to repeal chapter 151, Private Laws of 1927, and to amend chapter 136, Public Laws of 1917, so as to prescribe

the time for the City Council of the City of Reidsville to be inducted into office and to make the municipal year and fiscal year concurrent.

Referred to the Committee on Calendar.

S. B. 739, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, by providing that the act shall not be mandatory in Stokes County and the municipalities therein.

Referred to the Committee on Calendar.

S. B. 740, A bill to be entitled An act to amend Senate Bill 681, ratified May 11, 1933, amending House Bill 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties.

Referred to the Committee on Calendar.

S. R. 745, Joint Resolution, authorizing the Secretary of State to call into his assistance clerks from such departments of State as he may deem proper to work in the Enrolling Office after office hours of the different departments.

On motion of Mr. Doughton, the resolution is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

H. B. 1444, A bill to be entitled An act to amend the Charter of the City of Hendersonville.

For concurrence in the Senate Amendment.

On motion of Mr. Ray, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Columbus, Craven, Cumberland, Currituck, Davie, Duplin, Durham, Franklin, Gates, Greene, Harnett, Haywood, Hertford, Hoke, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, McDowell, Moore, New Hanover, Onslow, Pamlico, Pasquotank, Perquimans, Person, Pitt, Robeson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Vance, Wake, Warren, Wayne, Wilkes, Yadkin, Yancey counties.)

Placed on the Calendar for concurrence in the Senate Amendments.

H. B. 1542, A bill to be entitled An act to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.

For concurrence in the Senate Amendment.

On motion of Mr. Barden, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 145, A bill to be entitled An act to appoint justices of the peace for Pitt County.

Referred to the Committee on Calendar.

### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, May 12, 1933.

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Rankin and Noell, to act as Conferees with your Appointees to consider the differences arising on House Bill 1572, title "To authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 12, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that at its request the President has appointed on the part of the Senate, Senators Hanes and Cross, to act as Conferees with your Appointees to consider the differences arising on House Bill No. 926, title "To amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," and to adjust the same.

# Respectfully,

LEROY MARTIN, Clerk of the Senate.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 693, A bill to be entitled An act, relating to funding and refunding bonds of counties and municipalities.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 1654, A bill to be entitled An act to permit localities having made a satisfactory adjustment with bondholders to supplement.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1635, A bill to be entitled An act to amend House Bill 59, ratified the 25th day of January, 1933, being "A bill to regulate lobbying."

On motion of Mr. Ewing, the bill is laid on the Table.

S. B. 706, A bill to be entitled An act authorizing the Sheriff of Wilson County to accept county vouchers in payment of taxes.

Passes its second and third readings, and is ordered Enrolled.

S. B. 707, A bill to be entitled An act to amend House Bill 660, same being entitled "An act to require the fees for which a county is liable under Article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of

taxes," ratified April 10, 1933, so as to exempt Wilson County from the provisions of said Act.

Passes its second and third readings, and is ordered Enrolled.

S. B. 709, A bill to be entitled An act to repeal House Bill 1297, ratified May 5, 1933, entitled "An act to amend Senate Bill No. 180, of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act."

Passes its second and third readings, and is ordered Enrolled.

S. B. 712, A bill to be entitled An act exempting Pitt County from certain sections of House Bill 158, passed by the 1933 Session of the General Assembly, relating to tax liens.

Passes its second and third readings, and is ordered Enrolled.

S. B. 714, A bill to be entitled An act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1470, A bill to be entitled An act to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

On motion of Mr. Womble, the bill is recommitted to the Calendar Committee.

H. B. 1642, A bill to be entitled An act to provide for the organization, incorporation and operation of cash depositories in the County of Guilford.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1653, A bill to be entitled An act to define the limits of the Village of Yanceyville in the County of Caswell, and to prescribe the limits in said Village in which beer and other beverages mentioned in the "Beverage Control Act of 1933" may be sold.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1676, A bill to be entitled An act to remit all tax penalties on uncollected taxes for the year 1932, in the County of Rowan and the municipalities therein.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 694, A bill to be entitled An act authorizing the Board of Aldermen of the City of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws, 1899, in reference thereto.

Passes its second and third readings, and is ordered Enrolled.

S. B. 699, A bill to be entitled An act to amend House Bill 1405 being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

Passes its second and third readings, and is ordered Enrolled.

S. B. 703, A bill to be entitled An act to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the village of Worthville, Randolph County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 705, A bill to be entitled An act amending the act creating the office of Tax Collector in Cumberland County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1656, A bill to be entitled An act to repeal any and all acts passed at the Session of the General Assembly of North Carolina, Session 1933, that might and does conflict with any of the provisions of House Bill No. 914, known as "An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money," ratified on the 3d day of April, 1933.

On motion of Mr. Wilson, the consideration of the bill is postponed indefinitely.

H. B. 1602, A bill to be entitled An act to amend section 6108 of the Consolidated Statutes, transferring the Enrolling Office from the Secretary of State to the General Assembly.

Passes its second reading, and remains on the Calendar.

H. B. 1634, A bill to be entitled An act to amend House Bill 1227, the same being "An act to appoint certain members of the Boards of Education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense," ratified May 10, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1660, A bill to be entitled An act to prevent fraud and deception in the sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1667, A bill to be entitled An act to extend the benefits of Senate Bill 180, chapter 181, Public Laws, 1933, to taxpayers owing taxes upon personal property as well as upon real estate.

On motion of Mr. Flanagan, the bill is laid on the Table.

H. B. 1639, A bill to be entitled An act to authorize the Director of the Division of Purchase and Contract to exchange the automobile now owned by the State of North Carolina and allotted to the Governor for another automobile whenever in his judgment same is necessary.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 549, A bill to be entitled An act to provide for instruction in thrift and saving in the public schools of the State.

Passes its second and third readings, and is ordered Enrolled.

S. B. 555, A bill to be entitled An act to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution.

Passes its second and third readings, and is ordered Enrolled.

S. B. 574, A bill to be entitled An act supplemental to and amendatory of Senate Bill No. 238, entitled "A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Acts of 1931, chapter 381; and to transfer the illumination oil, gas and lubricating oil inspection division to the Department of Revenue, and place upon the Com-

missioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol, under the direction of the Department of Revenue to perform the duties of inspectors for such Department; and to limit the number of motor vehicle inspectors," ratified April 15, 1933, it being An act transferring the illumination oil, gas and lubricating oil inspection division to the Department of Revenue, etc.

Passes its second and third readings, and is ordered Enrolled.

S. B. 584, A bill to be entitled An act to amend chapter 110, Article 4 of Consolidated Statutes of 1919, relating to the practice of optometry.

Passes its second and third readings, and is ordered Enrolled.

S. B. 605, A bill to be entitled An act prescribing the manner of advertisement and sale of school property.

Passes its second and third readings, and is ordered Enrolled.

S. B. 595, A bill to be entitled An act to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 625, A bill to be entitled An act to repeal chapter 322 of the Public Laws of 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles.

Passes its second and third readings, and is ordered Enrolled.

S. B. 637, A bill to be entitled An act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County Game Laws.

Passes its second and third readings, and is ordered Enrolled.

S. B. 633, A bill to be entitled An act supplemental to Senate Bill No. 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

Passes its second and third readings, and is ordered Enrolled.

S. B. 664, A bill to be entitled An act to aid public school teachers in securing, raising and renewing their certificates.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County.

Having been recalled from the Enrolling Office, on motion of Mrs. Mebane, the vote by which the House concurred in the Senate Amendment is reconsidered, and the bill remains on the Calendar for further consideration.

S. B. 683, A bill to be entitled An act to amend chapter 86 of the Public Laws of North Carolina, Session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

Passes its second and third readings, and is ordered Enrolled.

S. R. 685, Joint Resolution authorizing the printing of Senate Bill No. 333, ratified May—1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina."

Passes its second and third readings, and is ordered Enrolled.

S. B. 686, A bill to be entitled An act to repeal Senate Bill No. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

Passes its second and third readings, and is ordered Enrolled.

S. B. 688, A bill to be entitled An act to amend House Bill No. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of National banks.

Passes its second and third readings, and is ordered Enrolled.

# CONFERENCE REPORT ON COMMITTEE SUBSTITUTE FOR S. B. 156

Honorable A. H. Graham, President of the Senate, and Honorable R. L. Harris, Speaker of the House of Representatives:

The undersigned Conferees on the part of the Senate and House of Representatives, after full conference and discussion, have agreed and now recommend and report as follows:

- (1) That there be added to the House Amendment to section 2, offered by Mr. Pope, "Provided that the pay, expenses and travel allowance of any one member shall not exceed \$1,000 per year," the following: "beginning with the second fiscal year," and with this addition that said Amendment be adopted.
- (2) That the amendment to section 2, offered by Mr. Turner of Guilford, be adopted in the words "Provided, that no employee of the State School Commission shall be paid a salary in excess of \$2,800," with the following addition thereto: "Provided further, that the salary of the Executive Secretary of said Commission shall not exceed \$3,600 per annum," and with this addition that said amendment be adopted.
- (3) That the amendment offered by Mr. Dowtin of Warren, "that this shall not apply to Wise Chartered School District of Warren County," be stricken out and that the House recede from this amendment.
- (4) That the amendment to section 4, offered by Mr. Barden, inserting "60" in place of "80," be adopted.
- (5) That the amendment to the third paragraph of section 4, offered by Messrs. Graham and Eagles and indicated as Amendment No. 5, be adopted.
- (6) That the amendment offered by Mr. Binford to section 4, line 7, page 2, substituting 1,000 in place of 2,000, be adopted with the following change: After the word "may" and before the word "be" in the ninth line on the second page insert the words, "with the approval of the State School Commission."
- (7) That the amendment offered by Messrs. Aycock of Wake and Graham to section 4, indicated as Amendment No. 7, be adopted.
- (8) That the amendment to section 4, adding the word "the" and "sign" before the word "special" in line 13 of the third paragraph, be adopted, this amendment being numbered 8.
- (9) That the amendment offered by Messrs. Aycock of Wake and Graham, numbered 9, be changed to read "June first" instead of "July first," and with this change that the same be adopted.
- (10) That the amendment offered by Messrs. Graham and Aycock of Wake at the end of section 8, indicated as Amendment 10, be adopted.

- (11) That the amendment offered by Mr. Cameron in line 4, section 11, indicated as Amendment 11, be adopted.
- (12) That the amendment to section 12 in lines 12 and 13, offered by Messrs. Tompkins, Aycock of Wake and Graham, Amendment No. 12, be adopted.
- (13) That the amendment offered to section 15 by Messrs. Moss and others, indicated as Amendment 13, be adopted.
- (14) That the amendment offered by Messrs. Tatem and others to section 16, indicated as Amendment 14, be stricken out and that the following be added after the word "act" in the fourth line of section 4, striking out the period and inserting a colon: "Provided, that nothing herein contained shall be construed to prevent the tax-levying authorities in any administrative unit, with the approval of the State School Commission, from levying taxes to provide the necessary funds for teaching vocational agriculture and home economics in such unit when said tax-levying authorities are now authorized by law to do so and are now levying taxes for such purposes."
- (15) That the amendment to section 17, offered by Messrs. Aycock of Wake and Graham, indicated as Amendment No. 15, be adopted.
- (16) That the amendment offered by Mr. Thomas O'Berry to section 17, indicated as Amendment No. 16, be adopted.
- (17) That the amendment offered by Mr. Taylor of Currituck, relating to Currituck and Cherokee counties, indicated as Amendment 17, be adopted.
- (18) That the amendment offered by Mr. Smith, relating to Martin County, indicated as Amendment No. 18, be adopted.
- (19) That the amendment offered by Messrs. Aycock of Wake and Graham in line 16 of section 17, indicated as Amendment No. 19, be adopted.
- (20) That the amendment striking out section 19 and substituting another section 19 in lieu thereof, offered by Messrs. Aycock of Wake and Graham, indicated as Amendment No. 20, be adopted.
- (21) That the amendment at the end of section 26, offered by Messrs. Bean and Murphy, indicated as Amendment No. 21, be adopted with the following correction: Strike out in the third line of said amendment the words "a file record" and insert "a record filed."
- (22) That the amendment offered by Mr. Morphew in line 3 of the second paragraph of section 29, indicated as Amendment No. 22, be adopted.
- (23) That the amendment offered by Mr. McEachern, indicated as Amendment No. 23, be adopted and numbered section 34½.
- (24) At the request of the Governor because of the early adjournment of the Legislature, it is agreed and proposed that the words "and confirmed by the Senate" in the seventh line of section 2 be stricken out.

## Respectfully submitted,

A. D. MACLEAN, HAYDEN CLEMENT, LLOYD E. GRIFFIN,

Conferees on the part of the Senate.

ERNEST GRAHAM,
J. C. SMITH,
R. F. BEASLEY,
ALLISON JAMES,

AYCOCK of Wake,

Conferees on the part of the House.

On motion of Mr. Graham, the Conference Report is adopted and the Senate is so notified.

# REPORT OF CONFERENCE COMMITTEE ON S. B. 589

May 12, 1933.

To the President of the Senate and Speaker of the House of Representatives:

We, the undersigned, your Conference Committee, appointed to consider and adjust the differences arising between the Senate and the House of Representatives on Senate Bill No. 589, title "To allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations," respectfully make the following recommendations:

First. That the House recede from its amendments adding Guilford and Davidson counties as coming under the provisions of this bill.

Second. That the Senate concur in all of the other amendments offered and adopted by the House of Representatives.

# Respectfully submitted,

CAPUS M. WAYNICK,
L. I. MOORE,
Conferees on part of the Senate.
W. A. SULLIVAN,
W. W. EAGLES,
R. BRUCE ETHERIDGE,
Conferees on part of the House.

On motion of Mr. Sullivan, the Conference Report is adopted, and the Senate is so notified.

On motion of Mr. Douglass, H. B. 782, A bill to be entitled An act reducing the salaries of certain officers of Wake County, is ordered recalled from the Enrolling office.

On motion of Mr. Douglass, the vote by which the House adopted the Conference Report is reconsidered.

The question now recurs upon the adoption of the Conference Report.

The Conference Report fails of adoption.

On motion of Mrs. Mebane, H. B. 472, A bill to be entitled An act to prohibit seining and trapping fish in Smith River, Rockingham County, is ordered recalled from the Enrolling office for further consideration by the House.

On motion of Mr. Randolph, the House adjourns and will meet tomorrow at 9:30 o'clock a.m.

# ONE HUNDRED TWELFTH DAY

House of Representatives, Saturday, May 13, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative Cameron of Moore County.

Mr. Bender, for the Committee on the Journal, reports that the Journal of yesterday has been examined and found correct, and the same stands approved.

The Speaker appoints John Thomas, son of Representative Thomas of Anson County, and Robison Oscar Everett, son of Representative Everett of Durham County, Honorary Pages of the House.

### CONFERENCE REPORTS

To the President of the Senate and Speaker of the House of Representatives:

We, the undersigned, your Conferees appointed to consider and adjust the differences arising on House Bill No. 926, title "To amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," do respectfully recommend the following:

First: That the House concur in the Senate Amendments.

# Respectfully submitted,

R. M. HANES,
Conferee on part of Senate.

R. P. BENDER, J. P. RANDOLPH.

Conferees on part of the House.

Dissenting:

T. S. Cross.

C. H. HAYNES.

On motion of Mr. Randolph, the Conference Report is adopted, and the Senate is so notified.

Mr. Turner of Guilford makes a motion that the vote by which the Report was adopted be reconsidered and that motion be laid on the Table. It is so ordered.

To Honorable A. H. Graham, President of the Senate and Honorable R. L. Harris, Speaker of the House of Representatives:

We, the undersigned Conferees, appointed to recommend adjustment of the differences between the Senate and House, with reference to H. B. 1572, being "A bill to be entitled An act to authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," do respectfully recommend that the Senate recede from its Amendment to the said bill.

# Respectfully submitted,

R. G. RANKIN,
J. W. NOELL,
Conferees on part of the Senate.
LUTHER HAMILTON,

C. J. MOYE,
DAN TOMPKINS,
House Conferees.

On motion of Mr. Tompkins, the Report is adopted and the Senate is so notified.

### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar:

S. B. 734, A bill to be entitled An act regulating the sale of inferior automobile tires.

And.

S. B. 736, A bill to be entitled An act to repeal chapter 151, Private Laws of 1927, and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for the City Council of the City of Reidsville to be inducted into office and to make the municipal year and fiscal year concurrent.

And,

- S. B. 701, A bill to be entitled An act to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner. And,
- S. B. 739, A bill to be entitled An ait to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158, by providing that the Act shall not be mandatory in Stokes County and the municipalities therein.

And,

S. B. 735, A bill to be entitled An act to create a police and firemen's relief fund for persons engaged in departmental service in the City of High Point.

And.

S. B. 737, A bill to be entitled An act to transfer the Division of Weights and Measures to the Department of Revenue and for other purposes.

And,

S. B. 740, A bill to be entitled An act to amend Senate Bill 681, ratified May 11, 1933, amending House Bill 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties.

And.

S. B. 626, A bill to be entitled An act to authorize the State Highway Commission to designate certain roads as light traffic roads.

And.

S. B. 743, A bill to be entitled An act giving the County Commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said County.

And.

S. B. 145, A bill to be entitled An act to appoint justices of the peace for Pitt County.

And,

S. B. 724, A bill to be entitled An act providing for the Mayor of the City of Hendersonville to serve as Juvenile Judge of the said City.

With favorable reports.

And,

S. B. 742, A bill to be entitled An act regulating the payment of taxes of political subdivisions of the State in bonds of such subdivisions.

With a favorable report, as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Randolph: H. B. 1685, A bill to be entitled An act supplemental to and amendatory of House Bill No. 1232, it being, "An act to appoint justices of the peace for the several counties of North Carolina," ordered enrolled May 12, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Murphy: H. B. 1686, A bill to be entitled An act creating an agricultural and breeders' association for the County of Rowan on approval by the voters of said County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Hutchins: H. B. 1687, A bill to be entitled An act for the relief of Reid Berry, former Sheriff and Tax Collector of Mitchell County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Eagles: H. B. 1688, A bill to be entitled An act to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Greer, by request: H. B. 1689, A bill to be entitled An act to amend chapter 187 of the Private Laws of 1931, relating to the salary of the Mayor of the Town of Boone, Watauga County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Moye: H. B. 1690, A bill to be entitled An act to validate the official acts performed between April 1, 1933 and May 12, 1933 by justices of the peace appointed in the Omnibus Bill, ratified May 12, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Graham: H. B. 1691, A bill to be entitled An act to amend Senate Bill No. 589, relating to closed banks in certain counties.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Tompkins: H. B. 1692, A bill to be entitled An act to amend the Justice of the Peace Omnibus Bill.

Passed first reading.

Rules suspended.

As amended, the bill passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Turner of Guilford: H. B. 1693, A bill to be entitled An act to repeal chapter 174, Public Laws of 1925, relating to the Department of Agriculture.

Placed on the Calendar.

By Mr. Womble: H. B. 1694, A bill to be entitled An act to allow persons in Wake County to come under the provisions of House Bill 1321, 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

Placed on the Calendar.

### SENATE MESSAGE

A message is received from the Senate transmitting the following bills and resolutions which are read the first time and disposed of as follows:

S. B. 747, A bill to be entitled An act to repeal House Bill 1628 of the present Session of the General Assembly, ratified May 12, 1933, and to amend Senate Bill 180 of the present Session of the General Assembly, ratified February 13, 1933.

On motion of Mr. Etheridge, the bill is placed on its immediate passage. Passed first reading.

Rules suspended.

Passes second and third readings and ordered Enrolled.

H. B. 1658, A bill to be entitled An act to authorize the Town of Wendell to accept its own bonds in payment of taxes and street assessments and to purchase its own bonds.

For concurrence in the Senate Amendment.

On motion of Mr. Douglass, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. R. 302, Joint Resolution requesting Congress to pass An act placing rural free delivery routes on a competitive basis.

On motion of Mr. Cherry, the bill is taken from the Unfavorable Calendar, and placed on its immediate passage.

The Resolution fails to pass its second reading.

H. B. 1681, A bill to be entitled An act relating to the advertisement of delinquent taxes in Montgomery County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1678, A bill to be entitled An act relating to certain fees of Clerk Superior Court, Gates County.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1679, A bill to be entitled An act to amend Senate Bill 318, being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1680, A bill to be entitled An act to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1682, A bill to be entitled An act to amend the North Carolina Game Laws relating to hunting in Cumberland and Harnett counties.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

S. B. 726, A bill to be entitled An act to authorize the Commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners.

Passes its second and third readings, and is ordered Enrolled.

S. B. 729, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932 in Hoke County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 717, A bill to be entitled An act relating to the Charter of the Town of Elm City.

Passes its second and third readings, and is ordered Enrolled.

S. B. 720, A bill to be entitled An act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Cumberland County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 721, A bill to be entitled An act to validate certain tax sales in Cumberland County and the City of Fayetteville.

Passes its second and third readings, and is ordered Enrolled.

S. B. 725, A bill to be entitled An act to authorize the Commissioners of the town of Selma to appoint a cotton weigher for said town and to fix the compensation of said cotton weigher.

Passes its second and third readings, and is ordered Enrolled.

S. B. 731, A bill to be entitled An act to exempt drainage districts in Pitt County from operation of certain sections of Senate Bill No. 180, passed by the 1933 Session of the General Assembly, relating to tax liens.

Passes its second and third readings, and is ordered Enrolled.

S. B. 575, A bill to be entitled An act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

On motion of Mr. Sullivan, the bill is taken from the Unfavorable Calendar, and placed on the Calendar for its immediate consideration.

Passes its second and third readings, and is ordered Enrolled.

Mr. Grant makes a motion that the vote by which the bill passed its third reading be reconsidered, and that this motion be laid on the Table.

It is so ordered.

H. B. 1561, A bill to be entitled An act to permit Southern Pines Special Charter School District, in Moore County, to supplement its school fund.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cover, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, Etheridge, Everett, Flanagan, Froneberger, Gardner, Gatling, Graham, Grant, Greer, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Makepeace, Massenburg, Mebane, Moore, Moss, Murphy, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, Wilson, Womble, Woodall and Woodfin—65.

Those voting in the negative are: None.

H. B. 1674, A bill to be entitled An act to permit the taxing of certain peddlers in Richmond County.

Passes its second reading by the following vote and takes its place on the Calendar.

Those voting in the affirmative are: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Bender, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Cover, Crews, Culpepper, Dees, Doughton of Alleghany, Douglass, Eagles, Edwards, Etheridge, Everett, Flanagan, Froneberger, Gardner, Gatling, Graham, Grant, Greer, Haynes, Hoyle, Hutchins, Ingram, Johnson of Chatham, Johnson of Pender, Makepeace, Massenburg, Mebane, Moore, Moss, Murphy, O'Berry, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Sullivan, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Tompkins, Turner of Guilford, Turner of Iredell, Warlick, Wilson, Womble, Woodall and Woodfin—65.

Those voting in the negative are: None.

## ENROLLED BILLS

Mr. Cherry, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 345, An act regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

S. B. 512, An act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

S. B. 690, An act to amend An act of the General Assembly of North Carolina, Session 1933, entitled "An act to authorize the governing agencies

in Wayne County to acquire their own obligations," and known as Senate Bill No. 475.

- S. B. 704, An act to amend Senate Bill No. 631, relating to tax penalties in Cumberland County, ratified May 9, 1933.
- S. B. 711, An act to district Washington County for the purpose of the nomination and election of members of the board of County Commissioners.
- S. B. 727, An act to amend Senate Bill 665, being entitled "An act to prohibit the exhibition of any free medicine shows or like performances in Catawba County."
- H. B. 627, An act to amend chapter 186, Private Laws 1931, "Being An act to amend Senate Bill No. 395, being the Charter of the City of Asheville," pertaining to the reduction of salaries of councilmen and other employees.
- S. B. 698, An act to amend Senate Bill No. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the Recorder's Court of Thomasville."
  - H. B. 807, An act regulating hunting license in Hyde County.
- H. B. 867, An act to validate the official acts of W. A. Brame, a Justice of the Peace for Mark's Creek Township, Wake County, North Carolina, from April 1, 1931 until April 21, 1932.
- H. B. 1289, An act to prohibit the manufacture or sale of beer or wine in French's Creek Township, Bladen County.
- H. B. 1341, An act to place the names of certain Confederate soldiers and widows of Confederate soldiers on the Pension List.
- H. B. 1531, An act to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson.
- H. B. 1428, An act to aothorize the Commissioners of Johnston County to retire sinking fund loans with county bonds.
- H. B. 1614, An act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.
  - H. B. 1622, An act to fix the time to levy taxes for the Town of Murphy.
- H. B. 1624, An act to amend chapter 427, Public-Local Laws 1927, relating to the salary of the Sheriff of Guilford County.
- H. B. 1638, An act to protect hunting and fishing, and timber reservations in Yancey County.
- H. B. 1641, An act to provide for six months service of Grand Juries in Columbus County.
- H. B. 1643, An act to amend chapter 31 of the Private Laws of 1915, relating to the number of commissioners of the Town of Pink Hill, Lenoir County.
- H. B. 1647, An act to validate the election of May 2, 1933, for the Town of Newport, Carteret County, and to provide for bond for the Town Treasurer.
- H. B. 1648, An act authorizing the Board of County Commissioners of Washington County to place the Sheriff on a salary.
- H. B. 1651, An act relating to terms of Superior Court of Yancey County.
- H. B. 1663, An act supplemental to An act relating to the fees for registering Federal crop liens and Federal chattel mortgages, being Senate Bill 313, ratified March 20, 1933, as amended.

- H. B. 1664, An act to amend chapter 121, Private Laws of 1931, in order to clarify the election laws of the City of Asheville.
- S. R. 745, Joint Resolution authorizing the Secretary of State to call into his assistance clerks from such departments of State as he may deem proper to work in the Enrolling Office after office hours of the different departments.

On motion of Mr. Newman, the House takes a recess and will meet at 3:00 o'clock p.m.

# AFTERNOON SESSION

House of Representatives, Saturday Afternoon, May 13, 1933.

Pursuant to its recess, the House meets and resumes consideration of its business, with Mr. Speaker Harris presiding.

#### COMMITTEE REPORTS

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Mr. Moss, for the Committee on Calendar:

S. B. 366, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

And,

- S. B. 676, A bill to be entitled An act to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being.

  And.
- S. B. 653, A bill to be entitled An act to amend section 218 (c) of Volume III, of the Consolidated Statutes, as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.

  And,
- S. B. 744, A bill to be entitled An act to authorize the City of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

And,

S. B. 650, A bill to be entitled An act to amend section 162 of the Budget Revenue Bill of 1933, concerning the chain store tax covering departments in a department store.

And.

S. B. 746, A bill to be entitled An act to repeal An act "To provide for competitive bidding for construction or repair work, or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," Enrolled and Ratified May 9, 1933.

And,

H. B. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

With favorable reports.

And,

Committee Substitute for:

S. B. 544, A bill to be entitled An act to amend S. B. 180, Public Laws 1933, ratified on the 27th day of March, 1933, being "An act to allow counties, municipalities and other governing agencies to refund tax sales certificates."

S. B. 718, A bill to be entitled An act to amend chapter 149, Public Laws 1927, which is An act governing the sale of stocks, bonds and other securities in the State of North Carolina to bring the Act up to date and to strengthen its provisions.

With favorable reports, as amended.

And

S. B. 732, A bill to be entitled An act relating to the public road system of Wilson County.

And.

H. B. 1148, A bill to be entitled An act to enable non-profit corporations which have merged to regain their former status.

And.

S. B. 197, A bill to be entitled An act to repeal chapter 28, Public Laws 1929, being An act to amend chapter 22, section 1138, of the Consolidated Statutes of North Carolina, relating to corporations.

With unfavorable reports.

By Mr. Brawley, for the Committee on Reorganization of State Government:

H. B. 986, A bill to be entitled An act to reorganize the Department of Agriculture.

And,

H. B. 655, A bill to be entitled An act to establish the Department of Justice and to prescribe and define the duties thereof.

And.

H. B. 870, A bill to be entitled An act to consolidate the activities of the Department of Agriculture with the extension work of State College of the University of North Carolina.

With unfavorable reports.

By Mr. Doughton, for the Committee on Finance:

House Committee substitute for:

S. B. 604, A bill to be entitled An act to repeal House Bill No. 158, Public Laws 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes."

With an unfavorable report as to bill, favorable as to Committee substitute. On motion of Mr. Doughton, the bill is placed on its immediate passage. The Committee substitute is adopted.

An amendment offered by Mr. Doughton is adopted.

As amended, the bill passes its second reading, and remains on the Calendar.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resoluitons are introduced, read the first time, and disposed of as follows:

By Mr. Doughton: H. B. 1695, A bill to be entitled An act to authorize the Governor of North Carolina to appoint a commission to revise the tax laws of the State.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Morphew: H. B. 1696, A bill to be entitled An act supplemental to and amendatory of House Bill 1575, being "An act authorizing the County of Jackson to retire its bonded indebtedness," ratified May 13, 1933.

Passed first reading.

Rules suspended.

As amended, the bill passes its second and third readings and ordered sent to the Senate without Engrossment.

By Mr. Johnson of Pender: H. B. 1697, A bill to be entitled An act for the relief of taxpayers of Pender County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Thompson of Columbus: H. B. 1698, A bill to be entitled An act conferring additional powers upon the County Board of Health of Columbus County, with respect to sanitation and prevention of disease.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

# SENATE MESSAGE

A message is received from the Senate, transmitting the following bills and resolutions which are read the first time and disposed of as follows:

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

Placed on the Calendar for concurrence in the Senate Amendment.

S. B. 366, A bill to be entitled An act to amend section 1680 of Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

Referred to the Committee on Calendar.

H. B. 1481, A bill to be entitled An act supplemental to and amendatory of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

For concurrence in the Senate Amendment.

The House fails to concur in the Senate amendment, and asks for a Conference. The Speaker appoints as Conferees on the part of the House, Messrs. Randolph, Tompkins, and Cherry, and the Senate is so notified.

H. B. 1575, A bill to be entitled An act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.

For concurrence in the Senate Amendment.

On motion of Mr. Tompkins, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1588, A bill to be entitled An act to allow the Towns of Rockingham and Ellerbe to accept their respective bonds in payment of past-due taxes.

For concurrence in the Senate Amendment.

On motion of Mr. Bender, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1627, A bill to be entitled An act to authorize the Town of Maxton to accept its obligations in payment of taxes and assessments.

Placed on the Calendar for concurrence in the Senate Amendment.

S. R. 748, Joint Resolution by the General Assembly of North Carolina, providing for adjournment on Monday, May 15, 1933.

On motion of Mr. Womble, the resolution is placed on its immediate passage.

Passed first reading.

Rules suspended.

As amended, passes second and third readings, and ordered sent to the Senate for concurrence in the House Amendment.

S. B. 650, A bill to be entitled An act to amend section 162 of the Budget Revenue Bill of 1933, concerning the chain store tax covering departments in a department store.

Referred to the Committee on Calendar.

S. B. 653, A bill to be entitled An act to amend section 218 (c) of Volume III, of the Consolidated Statutes, as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.

Referred to the Committee on Calendar.

S. B. 676, A bill to be entitled An act to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being.

Referred to the Committee on Calendar.

S. B. 744, A bill to be entitled An act to authorize the City of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

Referred to the Committee on Calendar.

S. B. 581, Joint Resolution authorizing the Secretary of State to have the Enrolled and Ratified Acts and Resolutions of Sessions of General Assembly 1931, and 1933, bound in usual form.

On motion of Mr. Randolph, the resolution is placed on its immeditae passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

S. B. 749, A bill to be entitled An act authorizing the Director of the Budget to use certain unencumbered balances existing under the appropriations of 1931 to discharge interest obligations incurred in operation of public schools.

On motion of Mr. Moss, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

Committee Substitute for:

H. B. 1450, A bill to be entitled An act to amend section 3337 of Consolidated Statutes, pertaining to acknowledgment before justices of the peace where clerks' certificates or order of registration defective, applicable only to the Counties of Clay and Buncombe.

For concurrence in the Senate Substitute.

On motion of Mr. Morphew, the Senate Substitute is adopted.

Passes its second and third readings, and is ordered Enrolled.

The original House Bill is laid on the Table.

H. B. 1686, A bill to be entitled An act creating an agricultural and breeders' association for the County of Rowan on approval by the voters of said County.

For concurrence in the Senate Amendment.

On motion of Mr. Murphy, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 733, A bill to be entitled An act to provide for regulations so as to prohibit unfair trade practices in the administration of the general retail Sales Tax Law.

On motion of Mr. Cherry, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and ordered Enrolled.

#### SPECIAL MESSAGES

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has failed to concur in the House Amendments to S. B. 746, title, "To repeal An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, enrolled and ratified May 9, 1933," and asks for a Conference thereon. The President has appointed on the part of the Senate, Senators Waynick and Hanes, to act as Conferees with your Appointees, to the end that the differences arising may be considered and adjusted.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Pursuant to above message, the Chair appoints as Conferees on the part of the House, Messrs. Cherry, Cox and Turner of Guilford, and the Senate is so notified.

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that pursuant to its request, the President has appointed on the part of the Senate, Senators Hartsell and Waynick to consider the differences arising on H. B. 1481, title, "Supplemental to and amendatory of Senate Bill No. 125, it being 'An act to provide for and

regulate the manufacture, transportation and sale of certain beverages,' ratified April 28, 1933," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that pursuant to its request, the President has appointed on the part of the Senate, Senators Hartsell and Clement, to consider the differences arising on H. B. 1475, title, "To release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County," and to adjust the same.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the report of the Conferees on House Bill 926, title, "To amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," in order that if your Body has adopted a similar report, you may order the bill Enrolled.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Both bodies having adopted the Conference Report, the House orders the bill Enrolled.

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the report of the Conferees on House Bill 1572, title, "To authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," in order that if your Body has adopted a similar report, you may order the bill Enrolled.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Both Houses baving adopted the Conference Report, the House orders the bill Enrolled.

SENATE CHAMBER, May 13, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has adopted the Conference Report on S. B. 589, and awaits notice from your Body as to action taken thereon.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 744, A bill to be entitled An act to authorize the City of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

Passes its second and third readings, and is ordered Enrolled.

S. B. 653, A bill to be entitled An act to amend section 218 (c) of Volume III, of the Consolidated Statutes, as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.

Passes its second and third readings, and is ordered Enrolled.

S. B. 650, A bill to be entitled An act to amend section 162 of the Budget Revenue Bill of 1933, concerning the chain store tax covering departments in a department store.

Passes its second and third readings, and is ordered Enrolled.

S. B. 544, A bill to be entitled An act to amend Senate Bill No. 180, Public Laws 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

- S. B. 676, A bill to be entitled An act to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being. Passes its second and third readings, and is ordered Enrolled.
- S. B. 366, A bill to be entitled An act to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

Passes its second and third readings, and is ordered Enrolled.

S. B. 723, A bill to be entitled An act to amend House Bill 1232, being "An act to appoint justices of the peace in the several counties in North Carolina."

Passes its second and third readings, and is ordered Enrolled.

S. B. 724, A bill to be entitled An act providing for the Mayor of the City of Hendersonville to serve as Juvenile Judge of the said City.

Passes its second and third readings, and is ordered Enrolled.

S. B. 730, A bill to be entitled An act to repeal House Bill 1560, entitled "A Joint Resolution making the chickadee the official bird of the State."

Passes its second and third readings, and is ordered Enrolled.

S. B. 626, A bill to be entitled An act to authorize the State Highway Commission to designate certain roads as light traffic roads.

Passes its second and third readings, and is ordered Enrolled.

S. B. 737, A bill to be entitled An act "To transfer the Division of Weights and Measures to the Department of Revenue and for other purposes."

Passes its second and third readings, and is ordered Enrolled.

S. B. 739, A bill to be entitled An act to amend the Tax Foreclosure Act of 1933, known as House Bill No. 158 by providing that the act shall not be mandatory in Stokes County and the municipalities therein.

On motion of Mr. Phillips, the bill is laid on the Table.

S. B. 742, A bill to be entitled An act regulating the payment of taxes of political subdivisions of the State in bonds of such subdivisions.

On motion of Mr. Douglass, the bill is laid on the Table.

S. B. 743, A bill to be entitled An act giving the County Commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 740, A bill to be entitled An act to amend S. B. 681, ratified May 11, 1933, amending H. B. 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties.

Passes its second and third readings, and is ordered Enrolled.

S. B. 734, A bill to be entitled An act regulating the sale of inferior automobile tires.

On motion of Mr. Barden, the bill is laid on the Table.

S. B. 735, A bill to be entitled An act to create a police and firemen's relief fund for persons engaged in departmental service in the City of High Point.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 736, A bill to be entitled An act to repeal chapter 151, Private Laws of 1927, and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for the City Council of the City of Reidsville to be inducted into office, and to make the municipal year and the fiscal year concurrent.

Passes its second and third readings, and is ordered Enrolled.

S. B. 718, A bill to be entitled An act to amend chapter 149, Public Laws 1927, which is An act governing the sales of stocks, bonds, and other securities in the State of North Carolina, to bring the Act up to date, and to strengthen its provisions.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 145, A bill to be entitled An act to appoint justices of the peace for Pitt County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 554, A bill to be entitled An act safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

S. B. 701, A bill to be entitled An act to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1693, A bill to be entitled An act to repeal chapter 174, Public Laws 1925, relating to the Department of Agriculture.

On motion of Mr. Bowie, the bill is laid on the Table.

H. B. 1694, A bill to be entitled An act to allow persons in Wake County to come under the provisions of H. B. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants.

Passes its second reading, and remains on the Calendar.

H. B. 1627, A bill to be entitled An act to authorize the Town of Maxton to accept its obligations in payment of taxes and assessments.

For concurrence in the Senate Amendment.

On motion of Mr. Thompson of Robeson, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1661, A bill to be entitled An act to amend House Bill No. 774, entitled "An act to amend the North Carolina Game Laws," ratified May 11, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1677, A bill to be entitled An act authorizing the Division of Purchase and Contract of the State of North Carolina to request bids and enter into a contract with some manufacturing optical company for furnishing eye glasses and frames to any county welfare department, board of charities, school teachers, school principal, school superintendent, civic clubs and any other organization doing charitable work.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1683, A bill to be entitled An act supplemental to Senate Bill 180, it being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

H. B. 1291, A bill to be entitled An act to consolidate under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the Motor Vehicle Laws.

For concurrence in the Senate Amendment.

On motion of Mr. Brawley, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander.)

For concurrence in the Senate Amendments.

On motion of Mr. Murphy, the House fails to concur in the Senate Amendments, and asks for a Conference. The Speaker appoints as Conferees, Messrs. Murphy, Wilson and Johnson of Chatham, and the Senate is so notified.

H. B. 1602, A bill to be entitled An act to amend section 6108 of the Consolidated Statutes, transferring the Enrolling Office from the Secretary of State to the General Assembly.

A substitute offered by Mr. Wilson is adopted.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

The original bill is laid on the Table.

S. B. 618, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

On motion of Mr. Thompson of Columbus, the bill is taken from the Unfavorable Calendar, and placed on the Calendar for its immediate consideration.

An amendment offered by Mr. Barden is adopted.

The bill, as amended, passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1448, A bill to be entitled An act to preserve the recreational advantages of the State lakes.

On motion of Mr. Thompson of Columbus, the bill is laid on the Table.

S. B. 746, A bill to be entitled An act to repeal An act "To provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in the House Amendment.

H. B. 1662, A bill to be entitled An act to amend Senate Bill No. 180, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates," ratified March 27, 1933.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

#### ENROLLED BILLS

Mr. Cherry, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 120, An act to raise revenue.

S. B. 56, An act to repeal sections 3401 and 3402 of Article 6, chapter 66, of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

S. B. 549, An act to provide for instruction in thrift and saving in the public schools of the State.

S. B. 555, An act to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution.

S. B. 575, An act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

S. B. 625, An act to repeal chapter 322 of the Public Laws of 1931 so as to restrict motor vehicle trains to a combination of not more than two vehicles.

- S. B. 717, An act relating to the Charter of the Town of Elm City.
- S. B. 720, An act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Cumberland County.
- S. B. 721, An act to validate certain tax sales in Cumberland County and the City of Fayetteville.
- S. B. 725, An act to authorize the Commissioners of the Town of Selma to appoint a cotton weigher for said Town and to fix the compensation of said cotton weigher.
- S. B. 726, An act to authorize the Commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners.
- S. B. 728, An act to regulate the election of the municipal officers for the Town of Asheboro.
- S. B. 729, An act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Hoke County.
- H. B. 397, An act regulating the open season for game and providing for certain license fees in the County of Ashe.
- H. B. 1458, An act relating to a moratorium on foreclosures of mortgages and deeds of trust.
- H. B. 1487, An act to include Polk County in certain agricultural tenancy laws.
- H. B. 1636, An act to provide for the appointment of justices of the peace for High Point Township in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township.
- H. B. 1640, An act to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County, under Senate Bill 180, chapter 181, Public Laws 1933.
- H. B. 1649, An act to amend House Bill 158, ratified March 13, 1933, and known as "The Tax Foreclosure Act of 1933," as the same relates to Columbus County.
- H. B. 1650, An act to amend the Charter of the Town of Wrightsville Beach.
- H. B. 1652, An act to extend the provisions of section 3536, section 3537, section 3538, and section 3539 of the Consolidated Statutes of North Carolina to motor busses operated by common carriers for hire.
- H. B. 1659, An act relating to tax collector and auditor of Columbus County.
- H. B. 1232, An act to appoint justices of the peace for the several counties of North Carolina.
- S. B. 444, An act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race, of Robeson County.
- S. B. 574, An act supplemental to and amendatory of Senate Bill 238, entitled, "A bill to be entitled An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue

the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department; and to limit the number of motor vehicle inspectors," ratified April 15, 1933, it being An act transferring the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue, etc.

- S. B. 584, An act to amend chapter 110, Article 4, of Consolidated Statutes of 1919, relating to the practice of optometry.
- S. B. 595, An act to amend section 2583 of the Consolidated Statutes of 1919, Volume I.
- S. B. 605, An act prescribing the manner of advertisements and sale of school property.
- S. B. 633, An act supplemental to Senate Bill No. 55, the same being An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.
- S. B. 712, An act exempting Pitt County from certain sections of House Bill No. 158, passed by the 1933 Session of the General Assembly.
- S. B. 637, An act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County Game Laws.
- S. B. 664, An act to aid public school teachers in securing, raising and renewing their certificates.
- S. B. 683, An act to amend chapter 86 of the Public Laws of North Carolina, Session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.
- S. B. 688, An act to amend House Bill No. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of National banks.
- S. B. 693, An act relating to funding and refunding bonds of counties, municipalities and other governmental units.
- S. B. 694, An act authorizing the Board of Aldermen of the City of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws 1899, in reference thereto.
- S. B. 699, An act to amend House Bill 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.
- S. B. 705, An act amending the Act creating the office of tax collector in Cumberland County.
- S. B. 706, An act authorizing the Sheriff of Wilson County to accept county vouchers in payment of taxes.
- S. B. 707, An act to amend House Bill 660, same being entitled "An act to require the fees for which a county is liable under Article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes," ratified April 10, 1933, so as to exempt Wilson County from the provisions of said Act.
- S. B. 709, An act to repeal House Bill No. 1297, entitled, "An act to amend Senate Bill No. 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said Act," ratified May 5, 1933.

- S. B. 714, An act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.
- S. B. 716, An act to amend the Revenue Act with relation to absorption of the tax on motion pictures.
  - S. B. 719, An act relative to drainage assessments.
- S. B. 747, An act to repeal House Bill 1628 of the present Session of the General Assembly, ratified May 12, 1933, and to amend Senate Bill 180 of the present Session of the General Assembly, ratified February 13, 1933.
- H. B. 868, An act to provide for a close season for four years for hunting quail or partridge in Yadkin County.
- H. B. 1284, An act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.
  - H. B. 1443, An act to amend the Charter of the City of Hendersonville.
  - H. B. 1444, An act to amend the Charter of the City of Hendersonville.
- H. B. 1542, An act to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.
- H. B. 1586, An act validating notes of the City of Thomasville and the City of Lexington.
- H. B. 1595, An act authorizing postponement of sales for certain delinquent taxes and special assessments.
- H. B. 1645, An act to amend the Machinery and Revenue Acts enacted at this Session of the General Assembly.
- H. B. 1653, An act to define the limits of the Village of Yanceyville in the County of Caswell, and to prescribe the limits in said Village in which beer and other beverages mentioned in the Beverage Control Act of 1933 may be sold.
- H. B. 1657, An act supplemental to and amendatory of House Bill No. 120, entitled "An act to raise revenue," passed and ordered Enrolled, May 11, 1933.
- H. B. 1658, An act to authorize the Town of Wendell to accept its own bonds in payment of taxes and street assessments and to purchase its own bonds.
- H. B. 1665, An act authorizing the Board of Commissioners of Columbus County to accept settlement for past due indebtedness.
- H. B. 1666, An act to amend House Bill 1274, it being "An act to amend chapter 86, Public-Local Laws of 1931, being An act to place officers of Mecklenburg County on salaries."
- H. B. 1669, An act to appoint S. M. Boyette, D. P. Spell and N. H. Barber, justices of the peace in Johnston County.
- H. B. 1670, An act to authorize the Board of Commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes.
- H. B. 1671, An act to allow compensation to the Board of Aldermen of the City of Southport, North Carolina, for regular meetings.
- H. B. 1672, An act to repeal chapter 160 of the Public-Local Laws of 1931, same being "An act to reduce the fee allowed for seizure of illicit stills in Yadkin County from twenty dollars to ten dollars."
- H. B. 1675, An act creating an agricultural and breeders' association for the County of Pasquotank on approval by the voter's of said County.

- H. B. 1684, An act regulating the salaries of certain officers of Wake County.
- S. B. 703, An act to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the Village of Worthville, Randolph County.
- S. B. 731, An act to exempt drainage districts in Pitt County from operation of certain sections of Senate Bill No. 180, passed by the 1933 Session of the General Assembly, relating to tax liens.
- H. B. 1673, An act to amend Senate Bill 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Surry County from the operation of said Act.
- S. R. 685, Joint Resolution authorizing the printing of Senate Bill 333, ratified May—, 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina."

On motion of Mr. Brawley, the House adjourns, and will meet Monday at 11:00 o'clock a.m.

# ONE HUNDRED THIRTEENTH DAY

House of Representatives, Monday, May 15, 1933.

The House meets pursuant to adjournment, and is called to order by Mr. Speaker Harris.

Prayer by Representative D. E. Turner of the County of Iredell.

Mr. Turner of Iredell, for the Committee on the Journal, reports that the Journal of Saturday has been examined and found correct, and the same stands approved.

On motion of Mr. O'Berry, Miss Betsy Harris, daughter of Speaker Harris of Person County, is appointed an Honorary Page of the House.

#### MESSAGE FROM THE GOVERNOR

A message is received from His Excellency, Governor John C. B. Ehringhaus. (A complete text of the message appears in the appendix.)

# RULES COMMITTEE REPORT

Whereas, on April 21, 1933, a report of the Rules Committee was adopted, authorizing and directing that the services of the clerks to the Appropriations Committee and the clerks to Judiciary Committees 1 and 2 be dispensed with as of April 21, 1933; and

Whereas, by vote of the Rules Committee, the motion was that their services should be dispensed with as of Wednesday, April 26, 1933, and that said report was erroneous in so far as the date of April 21 was concerned.

Now therefore, the Rules Committee files this supplemental report and asks the adoption of same, that the report as of April 21 be amended, dis-

pensing with the services of said clerks as of April 26, 1933, and that they be paid accordingly.

R. M. Cox, Chairman.
S. C. Brawley.
W. W. Neal.
R. A. Doughton.
Walter Murphy.
Charles B. Aycock.
W. C. Ewing.
Laurie McEachern.
T. C. Bowie.
C. W. Allen.
Hubert E. Olive.
J. C. Smith.
R. G. Cherry.
O. B. Moss.

On motion of Mr. Cox, the report is adopted.

On motion of Mr. Cherry, S. B. 718, A bill to be entitled An act to amend chapter 149, Public Laws 1927, which is An act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the act up to date and to strengthen its provisions, is ordered recalled from the Senate for further consideration by the House.

On motion of Mr. Hutchins, S. B. 314, A bill to be entitled An act exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to town corporation or Mitchell County for sponsoring picture shows or other forms of entertainment, is taken from the Unfavorable Calendar and placed on the Calendar.

It was moved by Mr. Doughton that the entries in the House Journal of March 27, 1933, relating to the Gattis amendment of Senate Bill No. 383, title "To allow counties, municipalities and other governing agencies, to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of Public Laws of 1931; to amend the Municipal Finance Act, as amended, being subchapter 3 of chapter 56, Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81, Public Laws 1927, and to amend chapter 294, Public Laws 1931," be amended by striking out the recital "the amendment being a material one," and inserting in lieu of the words so stricken, "The amendment being as follows: 'Amend Senate Bill 383, section 1 (c) by striking out the period after the word "issued" in line 30, and inserting a comma, and adding the following: 'or by renewal bond anticipation notes'."

The motion is adopted.

On motion of Mr. Cherry, Senate Bill No. 634, a bill to be entitled An act to regulate the time for liquidation of defunct banks in Rutherford County, is taken from the Unfavorable Calendar and placed on the Calendar.

## CONFERENCE REPORT

# To the Senate and House of Representatives:

We, the undersigned Conferees on the part of the Senate and House of Representatives, in adjusting the differences arising between the two Bodies on S. B. 746, title "An act to repeal An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina, or the subdivisions thereof, which was enrolled and ratified May 9, 1933," do hereby recommend that the House recede from its amendment.

# Respectfully submitted,

Capus M. Waynick,
R. M. Hanes,
Conferees on the part of the Senate.
R. M. Cox,
Thomas Turner,
R. G. Cherry,
(reserved)
Conferees on the part of the House.

The Conference Report fails of adoption; the Conference Committee is continued, and the Senate is so notified.

# CONFERENCE REPORT

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned Conferees on Committee Substitute for House Bill No. 1481, "A bill to be entitled An act supplemental to and amendatory of Senate Bill No. 525, it being 'An act to provide for and regulate the manufacture, transportation and sale of certain beverages,' ratified April 28, 1933," beg leave to report as follows:

We recommend that both Houses pass in lieu of Senate Amendment, an amendment of section 5 of the original bill to strike out the words and figures "\$40.00" and insert in lieu thereof, the words and figures, "\$60.00."

#### Respectfully submitted,

L. T. Hartsell, Jr.,
Capus M. Waynick,
Conferees on the part of the Senate.
Dan Tompkins,
R. G. Cherry,
J. P. Randolph,
Conferees on the part of the House.

The Conference Report fails of adoption, and on motion of Mr. Grant, the Conference Committee is discharged. The question now recurs upon the concurrence in the Senate Amendment. The House again fails to concur in the Senate Amendment, and asks for a second Conference Committee.

The Senate is notified of the action taken by the House.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Crews, by request: H. R. 1699, Joint Resolution for the relief of Henry Atwater.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Young: H. B. 1700, A bill to be entitled An act to provide for the appointment of Mayor and four Commissioners for the Town of Coats, Harnett County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Sullivan: H. B. 1701, A bill to be entitled An act supplemental to and amendatory to House Bill No. 1664, the same being "An act to amend chapter 121, Private Laws, 1931, in order to clarify the election laws of the City of Asheville" ratified May 13, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Beasley: H. B. 1702, A bill to be entitled An act to authorize the Town of Marshville to accept its own bonds in payment of taxes and street assessments.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

And,

H. B. 1703, A bill to be entitled An act to allow the Commissioners of Union County to suspend tax penalties for the year 1932.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Ewing: H. B. 1704, A bill to be entitled An act regulating hunting in Cumberland County.

Passed first reading.

Rules suspended.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Moss: H. B. 1705, A bill to be entitled An act to amend House Bill No. 158, ratified March 13, 1933, and known as the Tax Foreclosure Act of 1933, as the same relates to Nash County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Williams: H. B. 1706, A bill to be entitled An act to coördinate and consolidate the functions of government for Duplin County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Wilson: H. B. 1707, A bill to be entitled An act to authorize the Board of County Commissioners of Caswell County in their discretion to confer additional duties on the County Accountant.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Everett: H. B. 1708, A bill to be entitled An act to supplement and amend the Public Laws 1933, known as the Omnibus Act, appointing justices of the peace, relating to Durham County.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Cameron: H. B. 1709, A bill to be entitled An act to allow the Commissioners of Moore County to suspend tax penalties for the year 1932.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Messrs. Thompson of Robeson and Graham: H. B. 1710, A bill to be entitled An act to amend House Bill 1594, same being "A bill to be entitled An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County," ratified May 12, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

By Mr. Haynes: H. B. 1711, A bill to be entitled An act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered sent to the Senate without Engrossment.

# MESSAGE FROM THE SENATE

A message is received from the Senate, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 750, A bill to be entitled An act to repeal H. B. 1320, the same being "An act regulating the collection of delinquent taxes in Sampson County," ratified the 11th day of May, 1933.

On motion of Mr. Doughton of Alleghany, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1637, A bill to be entitled An act authorizing the County Commissioners of Columbus County to convey to a trustee all real property, bought by said County under tax foreclosure proceedings.

For concurrence in the Senate Amendment.

On motion of Mr. Thompson of Columbus, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

S. B. 751, A bill to be entitled An act repealing S. B. 686, relating to agricultural lime produced by convict labor.

On motion of Mr. Barden, the bill is laid on the Table.

S. B. 752, A bill to be entitled An act relating to drainage districts in Hyde County.

Placed on the Calendar.

S. B. 753, A bill to be entitled An act to repeal S. B. 695, 1933 Session of the General Assembly of North Carolina, and reënact chapter 176 of the Private Laws of 1927, relating to the operation of pool rooms in the Village of Haw River, North Carolina.

Placed on the Calendar.

S. B. 754, A bill to be entitled An act, creating an Agricultural and Breeders' Association for the counties of New Hanover and Haywood on the approval of the voters of said counties.

Placed on the Calendar.

S. B. 755, A bill to be entitled An act to amend H. B. 1034, the same being "An act relating to the quadrennial assessment of property for taxation in Macon County," ratified March 23, 1933.

On motion of Mr. Ingram, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

S. B. 756, A bill to be entitled An act to allow the Board of County Commissioners of Edgecombe County to appoint a bank or trust company, not located in Edgecombe County, as its financial agent.

On motion of Mr. Eagles, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings, and is ordered Enrolled.

H. B. 379, A bill to be entitled An act relative to the holding of elections in the County of Ashe.

For concurrence in the Senate Amendment.

On motion of Mr. Bowie, the House concurs in Senate Amendment, and the bill is ordered Enrolled.

H. B. 1696, A bill to be entitled An act supplemental to and amendatory of H. B. 1575, being "An act authorizing the County of Jackson to retire its bonded indebtedness," ratified May 13, 1933.

For concurrence in the Senate Amendments.

On motion of Mr. Morphew, the House concurs in the Senate Amendment, and the bill is ordered Enrolled.

S. B. 757, A bill to be entitled An act supplemental to and amendatory of Senate Bill 696, same being "An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter," ratified May 12, 1933.

Placed on the Calendar.

#### SPECIAL MESSAGES

Mr. Speaker:

SENATE CHAMBER, May 15, 1933.

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that the Senate has adopted the Conference Report on S. B. No. 746, title "To repeal An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933, to the end that we may order the bill Enrolled, if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 15, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, informing that Honorable Body that the Senate has adopted the Conference Report on H. B. No. 1481, title "Supplemental and amendatory of S. B. No. 525, it being An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933, to the end that you may order the bill Enrolled, if similar action has been taken by your Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

SENATE CHAMBER, May 15, 1933.

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives, requesting the return of H. B. 1481, title "Supplemental to and amendatory of S. B. 525, it being An act to provide for and regulate the manufacture, transportation, and sale of certain beverages," ratified April 28, 1933, for further consideration by the Senate.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

On motion of Mr. Boyd, the bill is ordered returned to the Senate.

SENATE CHAMBER, May 15, 1933.

Mr. Speaker:

Pursuant to your request, we are returning, herewith, S. B. No. 718, title "To amend chapter 149, Public Laws, 1927, which is An act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the act up to date, and to strengthen its provisions," for further consideration by your Honorable Body.

Respectfully,

LEROY MARTIN, Clerk of the Senate.

Having been recalled from the Senate, on motion of Mr. Cherry, the vote by which the bill passed its third reading is reconsidered.

On motion of Mr. Cherry, the bill is laid on the Table.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 359, A bill to be entitled An act to amend chapter 116, Public Laws of 1919, as to Pitt County.

On motion of Mr. Hamilton, the bill is taken from the Committee on Propositions and Grievances and placed on the Calendar.

The bill passes its second and third readings, and is ordered Enrolled. House Substitute for:

S. B. 604, A bill to be entitled An act to repeal House Bill No. 158, Public Laws 1933, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and title thereon conveyed for failure to pay taxes."

Amendments offered by several members are adopted.

As amended, the bill passes its third reading and is ordered sent to the Senate for concurrence in the House amendments and substitute bill.

S. B. 752, A bill to be entitled An act relating to drainage districts in Hyde County.

Passes its second and third readings, and is ordered Enrolled.

S. B. 753, A bill to be entitled An act to repeal Senate Bill No. 695, 1933 Session of the North Carolina General Assembly, and reënact chapter 176 of the Private Laws of 1927, relating to the operation of pool rooms in the village of Haw River, North Carolina.

Passes its second and third readings, and is ordered Enrolled.

S. B. 757, A bill to be entitled An act supplemental to and amendatory of S. B. No. 696, same being An act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said County to establish a partial payment plan for the collection of taxes levied for the year 1933, and thereafter, ratified May 12, 1933.

Passes its second and third readings, and is ordered Enrolled.

S. B. 314, A bill to be entitled An act exempting the Wesley Ellis Post, American Legion from paying special or privilege tax to town corporation

or Mitchell County for sponsoring picture shows or other forms of entertainment.

Passes its second and third readings, and is ordered Enrolled.

S. B. 634, A bill to be entitled An act to regulate the time limit for liquidation of defunct banks in Rutherford County.

Passes its second and third readings, and is ordered Enrolled.

H. B. 1398, A bill to be entitled An act to prohibit fishing with stake nets between the hours of sunset and sunrise.

For concurrence in the Senate amendment. On motion of Mr. Etheridge, the House concurs in the Senate amendment and the bill is ordered Enrolled.

H. B. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

Passes its third reading and is sent to the Senate.

H. B. 1475, A bill to be entitled An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County.

On motion of Mr. Murphy the Conference Committee is discharged, and the question now recurs upon the concurrence in the Senate amendments.

On motion of Mr. Murphy, the House concurs in the Senate amendments and the bill is ordered Enrolled.

On motion of Mr. Womble, House Bill No. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants, is recalled from the Senate for further consideration by the House.

Senate Bill No. 754, A bill to be entitled An act creating an Agricultural and Breeders' Association for the counties of New Hanover and Haywood on the approval by the voters of said counties.

As amended, the bill passes its second and third readings, and is ordered sent to the Senate for concurrence in House amendments.

H. B. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants.

Having been recalled from the Senate, on motion of Mr. Womble, the vote by which the bill passed its third reading is reconsidered.

An amendment offered by Mr. Womble is adopted.

Passes its third réading and is ordered sent to the Senate without Engrossment.

#### MESSAGE FROM THE SENATE

A message is received from the Senate transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 758, Joint Resolution by the Senate and House of Representatives to provide for printing the Committee Substitute Bill for Senate Bill No. 156, known as the School Machinery Bill.

On motion of Mr. Aycock of Wake, the bill is placed on its immediate passage.

Passed first reading.

Rules suspended.

Passes its second and third readings and is ordered Enrolled.

H. B. 1470, A bill to be entitled An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of spiritus frumenti, beer, or other intoxicants.

For concurrence in the Senate Amendment.

On motion of Mr. Olive, the House concurs in the Senate amendment, and the bill is ordered Enrolled.

#### ENROLLED BILLS

Mr. Wilson, for the Committee on Enrolled Bills, reports the following bills and resolutions properly Enrolled, and they are duly ratified and sent to the office of Secretary of State:

- S. B. 145, An act to appoint Justices of the Peace for Pitt County.
- S. B. 618, An act to preserve the recreational advantages of the State lakes.
- S. B. 626, An act to authorize the State Highway Commission to designate certain roads as light-traffic roads.
- S. B. 686, An act to repeal Senate Bill No. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."
- S. B. 701, An act to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner.
- S. B. 723, An act to amend House Bill No. 1232, being An act to appoint Justices of the Peace in the several counties in North Carolina.
- S. B. 724, An act providing for the Mayor of the City of Hendersonville to serve as Juvenile Judge of the said City.
- S. B. 730, An act to repeal House Bill No. 1560 entitled "A Joint Resolution making the chickadee the official bird of the State."
- S. B. 733, An act to provide for regulations so as to prohibit unfair trade practices in the administration in the general retail sales tax law.
- S. B. 736, An act to repeal chapter 151, Private Laws of 1927, and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for the City Council of the City of Reidsville to be inducted into office, and to make the municipal year and fiscal year concurrent.
- S. B. 737, An act to transfer the Division of Weights and Measures to the Department of Revenue, and for other purposes.
- S. B. 740, An act to amend Senate Bill No. 681, ratified May 11, 1933, amending House Bill No. 1066, ratified April 11, 1933, relating to license for fishing in certain waters of Macon and Cherokee counties.
- S. B. 743, An act giving the County Commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said County.
- S. B. 749, An act authorizing the Director of the Budget to use certain unencumbered balances existing under the appropriations of 1931, to discharge interest obligations incurred in operation of public schools.
- H. B. 95, An act to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.
- H. B. 697, An act to authorize the tax collector of Macon County, and his successors, to collect back taxes in Macon County.

- H. B. 706, An act to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from the provisions for payment of damages done by dogs.
- H. B. 836, An act to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County on salaries for the school year 1931-1932.
- H. B. 926, An act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.
- H. B. 1091, An act to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.
- H. B. 1450, An act to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before Justices of the Peace where clerk's certificates or order of registration defective, applicable only to the counties of Clay and Buncombe.
- H. B. 1472, An act to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.
- H. B. 1491, An act to prohibit the setting of steel traps in Perquimans County for a period of two years.
- H. B. 1500, An act to amend chapter 260 of the Public Laws of North Carolina, Session of 1931, and chapter 204 of the Public Laws of North Carolina, Session of 1929, relating to tax sales.
- H. B. 1572, An act to authorize the Board of Commissioners of the Town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.
- H. B. 1575, An act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.
- H. B. 1578, An act to amend An act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122, Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses," and being Committee Substitute for House Bill No. 446.
- H. B. 1588, An act to allow the towns of Rockingham and Ellerbe to accept their respective bonds in payment of past-due taxes.
- H. B. 1627, An act to authorize the town of Maxton to accept its obligations in the payment of taxes and assessments.
- H. B. 1639, An act to authorize the Director of the Division of Purchase and Contract to exchange the automobile now owned by the State of North Carolina and allotted to the Governor for another automobile, whenever in his judgment, same is necessary.
- H. B. 1660, An act to prevent fraud and deception in the sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.
- H. B. 1662, An act to amend Senate Bill No. 180, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

- H. B. 1668, An act to regulate the distribution of public funds and collect license fees in certain counties in North Carolina.
- H. B. 1678, An act relating to certain fees of Clerk Superior Court, Gates County.
- H. B. 1679, An act to amend Senate Bill No. 318, being, "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.
- H. B. 1680, An act to appoint E. H. Ballentine a Justice of the Peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.
- H. B. 1681, An act relating to the advertisement of delinquent taxes in Montgomery County.
- H. B. 1685, An act supplemental to and amendatory of House Bill No. 1232, it being "An act to appoint Justices of the Peace for the several counties of North Carolina," ordered Enrolled May 13, 1933.
- H. B. 1688, An act to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.
- H. B. 1689, An act to amend chapter 187 of the Private Laws of 1931, relating to the salary of the Mayor of the Town of Boone, Watauga County.
- H. B. 1690, An act to validate the official acts performed between April 1, 1933, and May 12, 1933, by Justices of the Peace appointed in the Omnibus Bill ratified May 12, 1933.
- H. B. 1691, An act to amend Senate Bill No. 589 relating to closed banks in certain counties.
  - H. B. 1697, An act for the relief of taxpayers in Pender County.
- H. B. 1698, An act conferring additional powers upon the County Board of Health of Columbus County, with respect to sanitation and prevention of disease.
- H. R. 1565, Joint Resolution to authorize the State Highway Commission to vest in the United States Government, title to bridge and its abutments, on Route 91, across Wilkerson's Creek, in Hyde County.
- S. R. 581, Joint Resolution directing the Secretary of State to have the Enrolled and Ratified Acts and Resolutions of the General Assembly of 1931 and 1933 bound in usual form.
- S. R. 748, Joint Resolution by the General Assembly of North Carolina providing for adjournment on Monday, May 15, 1933.
- S. B. 676, An act to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being.
- S. B. 650, An act to amend section 162 of the Budget Revenue Bill of 1933, concerning the chain store tax, covering departments in a department store.
- H. B. 1291, An act to consolidate under the Motor Vehicle Bureau in the Department of Revenue all activities of the State relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the motor vehicle laws.
- H. B. 1686, An act creating an Agricultural and Breeders' association for the county of Rowan on approval by the voters of said county.
- S. B. 744, An act to authorize the City of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

- S. B. 653, An act to amend section 218 (c) of Volume III, of the Consolidated Statutes, as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.
- S. B. 589, An act to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.
- S. B. 366, An act to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.
- S. B. 735, An act to create a police and firemen's relief fund for persons engaged in departmental service in the City of High Point.
- H. B. 1642, An act to provide for the organization, incorporation and operation of cash depositories in the County of Guilford.
- S. B. 544, An act to amend Senate Bill 180, Public Laws 1933, ratified on the 27th day of March, 1933, being An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.
- H. B. 1415, An act to amend chapter 78 of the Consolidated Statutes of North Carolina so as to authorize the investment of trust funds in building and loan associations.
- S. B. 756, An act to allow the Board of County Commissioners of Edge-combe County to appoint a bank, or trust company, not located in Edge-combe County, as its financial agent.
- S. B. 750, An act to repeal House Bill 1320, the same being "An act regulating the collection of delinquent taxes in Sampson County," ratified the 11th day of May, 1933.
- H. B. 1398, An act to prohibit fishing with stake nets between the hours of sunset and sunrise.
- S. B. 314, An act exempting the Wesley Ellis Post American Legion from paying special or privilege tax to town corporation, or Mitchell County for sponsoring picture shows or other forms of entertainment.
- S. B. 634, An act to regulate the time limit for liquidation of defunct banks in Rutherford County.
- S. B. 755, An act to amend House Bill 1034, the same being "A bill to be entitled An act relating to the quadrennial assessment of property for taxation in Macon County," ratified March 23, 1933.
- H. B. 1246, An act to validate sales of lands for taxes by the County of Surry and the several incorporated towns therein.
- H. B. 1623, An act to repeal chapter 9 of the Private Laws of 1927, and to amend chapter 32 of the Private Laws of 1915, relating to the Tax Collector of the City of New Bern.
- H. B. 1702, An act to authorize the Town of Marshville to accept its own bonds in payment of taxes and street assessments.
- H. B. 1701, An act supplemental and amendatory to House Bill 1664, the same being entitled "An act to amend chapter 121, Private Laws 1931, in order to clarify the election laws of the City of Asheville, ratified May 13, 1933.
- H. B. 1420, An act to regulate and provide for the inspection, grading and testing of milk and to provide standards for the same.

- H. B. 1424, An act to provide for certification of fertilizer laboratories.
- S. B. 746, An act to repeal An act "To provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933.
- H. B. 1708, An act to supplement and amend the Public Laws of 1933, known as the "Omnibus Act," appointing justices of the peace relating to Durham County.
  - H. B. 1704, An act regulating hunting in Cumberland County.
- H. B. 1707, An act to authorize the Board of County Commissioners of Caswell County, in their discretion, to confer additional duties on the County Accountant.
- H. B. 1703, An act to allow the Commissioners of Union County to suspend tax penalties for the year 1932.
- H. B. 1058, An act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States—by payment of interest to the Department of North Carolina United Spanish War Veterans.
- S. B. 554, An act safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.
  - H. R. 1699, Joint Resolution for the relief of Henry Atwater.
- H. B. 1705, An act to amend House Bill 158, ratified March 13, 1933, and known as "The Tax Foreclosure Act of 1933," as the same relates to Nash
- H. B. 1710, An act to amend House Bill 1594, same being "A bill to be entitled An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County," ratified May 12, 1933.
- H. B. 379, An act relative to the holding of elections in the County of Ashe.
- H. B. 1318, An act authorizing a special tax levy for the expense of revaluing property in Sampson County.
- H. B. 1637, An act authorizing the County Commissioners of Columbus County to convey to a trustee all real property, bought by said County under tax foreclosure proceedings.
- H. B. 1359, An act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.
- H. B. 1481, An act supplemental to and amendatory of Senate Bill 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.
- H. B. 1711, An act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

- H. B. 1475, An act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said County. (Applicable also to Alexander, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Columbus, Craven, Cumberland, Currituck, Davie, Duplin, Durham, Franklin, Gates, Greene, Harnett, Haywood, Hertford, Hoke, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, McDowell, Moore, New Hanover, Onslow, Pamlico, Pasquotank, Perquimans, Person, Pitt, Robeson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Vance, Wake, Warren, Wilkes, Yadkin and Yancey counties.)
- H. B. 1700, An act to provide for the appointment of a Mayor and four Commissioners for the Town of Coats, Harnett County.
- S. B. 757, An act supplemental to and amendatory of Senate Bill No. 696, same being "An act to authorize, empower and direct the Sheriff and other tax collecting authorities in Randolph County and the municipalities therein, to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter," ratified May 12, 1933.
- H. B. 1709, An act to allow the Commissioners of Moore County to suspend tax penalties for the year 1932.
- S. B. 753, An act to repeal Senate Bill No. 695, 1933 Session of the General Assembly of North Carolina, and reënact chapter 176 of the Private Laws of 1927, relating to the operation of pool rooms in the village of Haw River, North Carolina.
- S. B. 604, An act to repeal House Bill No. 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes."
- H. B. 1696, An act supplemental to and amendatory of House Bill No. 1575, being "An act authorizing the County of Jackson to retire its bonded indebtedness," ratified May 13, 1933.
- S. B. 359, An act to amend chapter 116, Public Laws of 1919, as to Pitt County.
  - S. B. 752, An act relating to drainage districts in Hyde County.
- S. R. 758, Joint Resolution by the Senate and House of Representatives to provide for printing the Committee substitute for Senate Bill No. 156, known as the School Machinery Bill.
- S. B. 156, An act to promote efficiency and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without the levy of any ad valorem tax therefor.
- S. B. 754, An act creating an Agricultural and Breeders' Association for the counties of New Hanover and Haywood on the approval by the voters of said counties, and to permit horse racing therein.
- H. B. 1470, An act to preserve and make more secure the Charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants.

## HOUSE RESOLUTION

A House Resolution, offered by Mr. Doughton of Alleghany, which reads as follows, is adopted:

Resolved, That the House of Representatives tender to Speaker Harris, Chief Clerk Eure, and his assistants, and all the officers connected with the House of Representatives, its thanks for the duties well performed, with the assurance that they take with them on their departure, the love and good will of this House.

#### APPOINTMENT

The Speaker announces the appointment of Honorable Walter Murphy, member from Rowan County, as a delegate from the North Carolina House of Representatives to the Second Interstate Legislative Assembly, in accordance with the provisions of House Bill No. 1004, A bill to be entitled An act to appoint delegates to the Second Interstate Legislative Assembly, ratified April 5, 1933.

#### SPECIAL MESSAGE FROM THE SENATE

The following message is received from the Senate:

SENATE CHAMBER, May 15, 1933.

Mr. Speaker:

You are respectfully advised that the business of the Senate has been concluded and that Body will be ready to open the doors of the Senate at the hour of twelve o'clock, noon, in order that the gavels of the two Houses may fall simultaneously, and adjournment declared sine die.

# Respectfully,

LEROY MARTIN,

Principal Clerk.

Pursuant to the information submitted above, the House of Representatives having completed the business before it, a message is ordered sent to the Senate informing that Honorable Body that the House stands ready for adjournment.

The doors of the House and Senate are thrown open; the President of the Senate is perceived standing, ready to let fall the gavel, the hour for adjournment fixed by Joint Resolution and passed by the two Houses having arrived, the Speaker of the House of Representatives declares the House of Representatives of the General Assembly of North Carolina, Session of 1933, adjourned sine die.

R. L. HARRIS.

Speaker of the House of Representatives Session 1933.

Thad Eure.

Principal Clerk of the House of Representatives Session 1933.

# APPENDIX

INAUGURAL ADDRESS

OF

GOVERNOR J. C. B. EHRINGHAUS

TO THE

GENERAL ASSEMBLY OF NORTH CAROLINA January 5, 1933

(See Page 20 of Journal)

Reverently and in full consciousness of the moment's responsibilities I take up the duties of this great office. To me it has always symbolized the ultimate in political achievement, but I find that the realization of a life's ambition brings only an overwhelming sense of responsibility and inadequacy, for confronting us at this hour are problems of such magnitude as the State has not faced since Reconstruction days; problems which challenge, in each of us who are charged with their solution, the ultimate of our capacities of head and heart and hand, and give us timorous pause lest in spite of conscientious effort we go finally amiss.

#### North Carolina at the Cross-roads

For whether we are willing to admit it or not, the State which we love has reached the cross-roads of its financial destiny, and upon our present choice of highways depends its economic salvation and stability. In the years when prosperity blessed us and the pursuit of exalted ideals in governmental activities as well as a various and ever increasing demand for governmental services beckened us constantly to an increased and ever increasing spending we launched upon a program and practice which, however great its social and economic dividends, lays upon us, in these difficult days, a burden and yoke that galls and grinds and terrifies us. There is neither disposition nor desire to quarrel at the past—to fix responsibility and apportion the blame for the burdens of the present. The condemnation, if such there be, must be shared by all, and the speculation as to culprits is foolish and futile. There is, too, much of consolation in the recollection that the investments which consummated this spending may be reckoned yet as economic and social assets. North Carolina can stand before her sister States unashamed of the part she has played in the delirious drama of development marking the past decade. As late as June 1928 our financial condition was not serious or the cause of reasonable apprehension, our revenue was steady and in excess of estimates; our farms and factories productive and profitable. We were meeting with ease and promptness our bond maturities, both in State and local subdivisions, and all seemed rosy as a summer's dream but the ways of a great national adversity have now overtaken us and the time has come for reckoning, self-appraisal, inventory of our condition, and the setting of our house in financial order. Estimates prepared by State officials covering our situation as of July 1, 1933, on the basis of present expenditures and levies, indicate a predicted total operating

deficit of \$12,500,000. The figures here presented are compiled on a cash as distinguished from an accrual basis. Recall the fact that we are committed to the elimination of the State-wide fifteen cent levy for the sixmonths school term (which involves a relinquishment of approximately \$4,000,000, each year of revenue) and the problem of the balanced budget assumes real proportions—particularly in view of our platform pledge of "Every reasonable effort for the avoidance of additional taxes." too, that we have come to this position where we are burdened with a presently accumulated deficit of approximately \$9,460,000, in large part through efforts to keep up, as far as possible, the present level of spending for certain purposes, our reluctance to make further cuts, our desire to maintain these services on a cash basis, and that this borrowing (short-time) has itself added to our annual burden an additional load in interest charges of many hundred thousands. Recall that, but for the exercise by Governor Gardner of his powers as Director of the Budget, and the cutting of appropriations thereunder, we would today (on the basis of the last Legislative appropriation) have an additional deficit \$8,850,000, or a grand total of \$17,850,000.

When we recall the courageous action of Governor Gardner and his uncanny divination of financial "breakers ahead," when the President himself was heralding a new and enlarged era of prosperity; when we recall by this action Legislative appropriations were reduced the first year \$1,450,000, then \$2,100,000, then \$2,600,000, and this year about \$2,700,000; when we remember that but for this action the presently accumulated deficit would be greater by many millions and our State no doubt on a scrip basis and in financial chaos; when we recall his achievement in reducing general governmental expenses from \$8,658,000 to \$6,164,000, a decrease of twenty-nine per cent; when we remember the setting up by the Legislature of agencies which have resulted in damming the tide of municipal debt increase and promoting a substantial reduction thereof (amounting in principal and interest last year to over \$20,000,000), the relief offered to property owners aggregating \$25,-000,000 in the last two years, the reduction of the total tax bill in the State from \$102,000,000 in 1929-1930 to \$89,000,000 in 1931-1932, and to probably \$86,000,000 in 1932-1933, and the maintenance of governmental service in reasonable efficiency through these days of stress and strain, we may well be proud of our State and its leadership-executive and legislative-through the past quadrennium.

Not for purposes of invidious comparison, but solely to get the proper setting for our picture, let us look for a moment at the present situation in the Nation and in our neighbor States. The National Governmental expenses have increased in the last quadrennium to an alarming extent and its general fund deficit is accumulating at a daily rate that staggers the imagination. In our neighboring States financial difficulties are quite the order of the day, and in some of them already a condition of practical insolvency exists—the governments are almost incapable of functioning—payrolls met with scrip or simply passed by, institutions dying for want of cash, and the people hopeless in the face of ever-increasing difficulties.

In relief of local subdivisions of school and highway burdens North Carolina takes first rank. The plenitude of her provisions for these causes cannot be matched by a single Southern commonwealth. Indeed, it will bear comparison with any State of similar resources, and with most of her richer sisters.

But the sad truth confronts us, that our revenues in practically every source, are shrinking in serious if not alarming proportions. For proof of this I need only refer to this week's official bulletin of our Revenue Department. Our commitments for debt-service in sinking fund for Highway bonds for next year total roughly nine and one-half million dollars. Our estimated revenue for Highways on basis of present levies and undiminished yield is eighteen million dollars. But at least one competent authority suggests that since this source has only recently begun to reflect the depression, we may look for even greater recessions, and puts his estimate as low as fourteen million dollars, which prediction, if it should eventuate, would leave an uncomfortably narrow margin for maintenance and none for construction.

And last of all, ladies and gentlemen of the Assembly, the simple truth is that unquestionably and undeniably we have reached the end of our capacity to borrow. It profits us nothing to quarrel with those who hold the purse-strings and drive hard bargains in interest charges because of our predicament. The temples of the great money-changers are far distant, and even the sovereignty of the State cannot reach them. To them in financial plight it must go a suppliant. The dollars we seek to borrow are theirs; they may lend or refuse as they choose, and we have found through sad experience that, in the case of State as well as individuals, a budget out of balance is an impossible basis of borrowing.

Ladies and gentlemen of the Assembly, the most important and imperative duty that rests upon you greets you at the threshold of your labors—The Budget Must be Balanced Immediately: and when I say balanced, I mean balanced on the basis of substantial certainty—beyond cavil, doubt, or disputation. Unless this is accomplished quickly chaos, confusion, contumely, defaults, scrip payment, and destruction of our institutions are immediately ahead. It is an ugly picture. I paint it with reluctance, but in such an hour the plain, unvarnished truth is best. North Carolina knows "how to take it on the chin and take it standing up."

# The Way Out

Remember now that on the basis of present appropriation commitments (not amounts requested, which are greatly in excess of this) and present tax levies, we start this good year, 1933, with a deficit of \$9,430,000 accumulated in our general fund with additional obligations to special funds approximating \$3,000,000; that in addition to this we have a net funded debt of \$147,740,877; that by the end of this fiscal year, that is, June 30, 1933, our deficit would probably reach \$12,500,000; that we must on this basis find additional revenue to absorb this deficit and also to absorb the accumulating deficit we face as well as the interest charges on it and the \$3,850,000 loss of state revenue by relinquishment of the yield from the fifteen cent property tax levy; must absorb as well any additional shrinkage in revenue below present levels if further shrinkage occurs, as seems most likely, and you begin to get at the problem before you. What is the answer?

When income and outgo are out of balance, States as well as individuals, are compelled to do one of three things: (a) cut expenses, (b) increase revenue, or (c) work out a combination of both. To undertake the imposition at this time of additional tax levy sufficient to carry on our necessary governmental functions and to absorb as well in the next biennium our accumulated deficit would be, in the present burdened condition of our people and their activities, a cruelty as well as a practical impossibility. Some method of short-term or serial financing of this deficit must be found on a basis of interest charges that are not unduly burdensome. I speak within the bounds of accurate information when I say that even this is improbable except on the basis of drastically reduced spending levels and a manifestly balanced budget. Our only hope of accomplishing such financing is predicated upon this.

Appropriations mean nothing unless they may be interpreted in terms of cash certainly available and may be relied upon as a sound basis of commitment, and we are warned by our situation that further borrowing on the present basis is impossible—that lavish commitments involve not merely the certainty of cuts for want of revenue, but the probability of payment in scrip. The way out is plain, but pleasureless; it involves eating, for a season at least, of the (herbs and dry bread) of a hard self-denial. It challenges our ingenuity for working out plans which will enable us to carry on in efficiency and the preservation of ideals, but on a greatly reduced spending basis. Nay, more than that, it challenges our patriotism. I for one have faith in North Carolina and in the men and women who are the flesh and blood and spirit of the Commonwealth. To say that it cannot be done is to confess failure in advance and invite disaster. Nor would I accept responsibility for what, in my judgment, is certain to happen if this Assembly should do the unthinkable thing of failing to balance this budget, and of making commitments beyond reasonable expectations and leaving upon the Executive the burden of financing them or cutting them through budgetary control.

Having in mind this situation and the commitments of both parties in the last election, I submit these recommendations for your consideration and approval.

# (1) Revaluation of Property

Honesty and fair dealing as well as platform pledges demand that steps be taken at once to resume our time-tried policy of quadrennial assessments. We must have at once a revaluation of property by the usual methods or their equivalent. I mean by this that provisions should be made upon the basis of the most economical methods and the greatest possible simplification at considerable less expense than heretofore. I am quite sure that such methods can be worked out by you. I can see that this means—in the absence of effectuation of large economies in local government—an increased local tax rate to produce the amount required for maintenance of the subdivisions. This fact in itself should prove a powerful force to bring and hold down local spending to reasonable limits—"a consummation devoutly to be wished." Revaluation also involves the danger of the too near approach to constitutional debt limitations by State and subdivisions.

In spite of all this, I am convinced that such a step is necessary that we may know exactly where we stand, and that property—particularly real property—may have restored to it an honest value as the basis of its tax contribution.

Whether this valuation should stand for the full four years or—in order to restore the old order exactly—for the next biennium only, (during which time we indulge the hope for better days) is the question for your wisdom and considered judgment. I am committed to the idea of an immediate revaluation and recommend it. The rest is left to you.

# (2) Relief of present property levy

I urge upon you also the immediate relief of property from the fifteen cent State-wide levy for support of the six-months school term. This is recommended not only as a contribution to the cause of more equitable distribution of the tax load, but also upon the sound theory that the State embarked some time ago upon the policy of segregation; that it has recognized, in the passage of the MacLean Law, a constitutional interpretation which imposes the burden of support of the standard term upon the State, and thus has accepted the suggestion that such is an obligation of the State. It must follow, therefore, that this obligation shall be discharged out of revenue segregated or set aside to the State, rather than out of revenues from land or property, which are segregated to local purposes.

To those who would find in present difficulties or necessities an excuse for ignoring these equities as well as the platform pledges of both parties, I would say that such a course, involving both personal and party perfidy, is impossible. And to the suggestion that the relief of his properties means but little to the individual, though much in aggregate to the State, I would reply that whether much or little, it is an equity due the landowners; it has been promised them, and woe betide the man or group that now denies him.

#### (3) Substantial Economy

A substantial, even drastic, curtailment in our spending is imperative. Proud as we are of our social progress, we must remember that not even social progress can, for any great time, go ahead faster than material progress. There are many things we would like to do and do quickly, but it is an economic truth that all such undertakings "must have a direct relation to the ability of the State to pay for what it wants." I do not mean by this that we should embark upon a policy of parsimoniousness. Our party pledges, our personal preference, and our ideals and traditions of governmental activity all commit us to the maintenance of our schools, our institutions of higher learning, and our charitable and correctional institutions upon higher levels of efficiency and public service. Though these, together with our Highway System (which up to this point is self-supporting, and which I shall speak about separately) absorb a high percentage of our total revenues, they must be financed in economical efficiency.

As I said on another occasion, "there is a sort of saving which wastes—which crucifies the ideals upon the altar of penuriousness—which in dreadful fear of poverty and privation sees only the costs in dollars of things purchased and senses not values which cannot be reckoned in monetary

terms, though adding greatly to the public wealth and welfare. In protecting ourselves against thriftless spending we should be careful not to indulge an impulse towards miserliness or sacrifice those things which are necessary for the preservation of our ideals and government." But, the burdens which rest upon our people, which bend the backs of farmers and laborers, which have consumed the scant earnings of our professional men, which have devoured the incomes of our rich and powerful, and which have dried up the life-blood of the State's support, are such that the levels of our spending must be reduced as the first step on the road to recovery and preservation of our credit and State solvency. Economy with us is not a mere political preachment; it is the way of life. I may mistakenly interpret the sentiment of our people about many things, but on this point I The cost of government—all governments—must come am quite certain. down, and that substantially. Make no mistake about that. The demand of the people on this point is imperative and will not brook denial or equivocation.

Every individual, every wage-earner, every tiller of the soil, every professional man, every merchant, every clerical helper, every charity, every industry, every church, every institution, has seen its income go down, down, down. Some have shrunk "twenty, some fifty, and some an hundred fold." And with the shrinking process has come the necessity to trim "sails"—to cut down expenses. Individuals, corporations are doing it. Government must do the same.

To the suggestion that recession in expenditures means defeat of ideals I venture to reply, that there is no more certain way to insure their defeat than to pursue a path which leads certainly to scrip payments, financial chaos, and repudiation. The heritage of a restricted but honorable opportunity is far more priceless than one which, though enlarged, comes of profligate provision and is pointed towards dishonorable disaster.

For the efficient and economical maintenance of our essential services (and I include in these our schools, charities, and institutions of higher learning) we must bear the burden which such costs imposes. But before we add fresh levies, which do but add to the burdens of the great, struggling mass of our people upon whom they ultimately and inevitably fall, it is imperative that we follow a vigorous and unrelenting pruning process. The cruelty of any other course would damn the efforts of all who benefitted by it.

# (4) Reduction in Operating Cost

The first field for saving is the one nearest at hand, the general governmental set-up, salaries and perquisites. I neither possess nor desire any power or control over the Constitutional officers of the State. Save for budgetary control, they are supreme in their respective departments. And may I not at this point interject the observation that I have every confidence in my associates who have been set over these departments by the same sort of popular mandate as put the responsibility upon me. I look to them, and I feel confident that I shall receive from each and all of them the utmost of coöperation in the work which is ahead. If there are to be interdepartmental wars, they shall not be of my making. In the particular field of economy as in other activities the State expects and no doubt will receive from each of them a full measure of contribution. In the field controlled by

Executive and Legislative appointments, I submit the following recommendations:

- (a) That the law of 1929, providing an entertainment fund for the Chief Executive be repealed. I have already suggested this to the Budget Commission. It merely evidences my desire to absorb my own share in the burden bearing.
- (b) I suggest that the position of Executive Counsel be abolished and the Governor given authority to appoint a Pardon Commissioner at a salary to be fixed by the Legislature, and with such stenographic assistance as may be necessary.
- (c) The Bureau of Personnel has done valiant service in standardizing our salaries. The work of classification, however, has now been practically completed and the service may, therefore, be very well handled through consolidation of services and by a clerk in the Executive Department.
- (d) The Local Government Commission can very well be transferred to the Treasurer Department and operated thereunder at a saving of considerable cost, and what is quite as important, be thereby continued under the supervision of the capable officer who has developed its present efficiency and fine spirit of cooperative service.
- (e) This General Assembly should give serious thought to the possibility of consolidating our Highway and Prison Departments. Certainly there should be a consolidation of all motor vehicle collections under one department. Present practices work for competition in collection, with loss of revenue to the State.
- (f) The whole field of governmental set-up should be carefully canvassed by this General Assembly to the end that duplications of effort may be avoided and eliminations and consolidations effected wherever practicable. I believe that the Legislature would make substantial contribution to the cause of economy if it should classify governmental activities into essential and non-essential classes, allowing the Executive the power, under budgetary control, to discontinue in emergencies those classified as non-essentials, or cut down their appropriations before going into the field of essentials. I am convinced that a considerable saving can be worked out through reorganization along these lines. What is equally important is that under such an arrangement a preference could be given to essential services under budgetary control.

## (5) No New Commitments

It goes without saying that the State is already laboring under a burden which only the most heroic efforts can meet. It would be unwise under such circumstances for the State to assume any new commitments involving additional financial burden. I urge that the General Assembly refrain from the taking over of any additional obligations. However, meritorious such projects may seem, their acceptance by the State at this time is beyond its reasonable capacities.

# (6) Highways

The State Highway System in North Carolina is a matter of great pride to its citizenship. It has involved a vast expenditure of money, approximating two hundred millions. Today the State also is maintaining all former county highways. Provisions for the discharge of our Highway

obligations and the maintenance of our highways is made by the imposition of gasoline and motor vehicle taxes. There is a moral, if not a legal, obligation resting upon the State to reserve these funds for highway use, certainly to the extent of discharging all maturing obligations and the provision of sinking fund reserves, and also to the extent of adequate maintenance of the system which has been provided by this great expenditure. In my judgment it would not only be unwise, but a breach of faith with those who have purchased our bonds, to turn these revenues now into the general fund. It is not difficult to picture consequences of far-reaching importance if such a course should be followed.

I am quite in sympathy with the suggestion that for the next biennium all new construction should be abandoned. But the idea that here is a limitless source of revenue waiting to be tapped for other purposes is manifestly erroneous. Before we begin to distribute the surplus of highway resources it would be best to assure ourselves as to whether there is to be any surplus. And for reasons already pointed out, it is extremely doubtful whether there will be a considerable surplus over the necessary requirements for debt service and adequate maintenance. A failure to maintain properly the system which has cost so much money might bring about a serious deterioration, or even the destruction of this great asset to our State, and this, of course, would mean loss of the entire revenue or a substantial part of the revenue now derived from it. There is a human element involved in this, also, which is quite frequently overlooked. I am told that the school busses of North Carolina cover daily, with their load of precious freight, a hundred thousand miles. Surely, here is additional reason for adequate maintenance.

# (7) Education

The public schools of North Carolina are a matter of first concern. I regard our Constitutional obligations along this line not only as mandatory, but as imposing upon us a primary and essential service. All possible economies should be effected before anything is done that would cripple our schools. Non-essential services should suffer or vanish before necessary economy hurts here. I am convinced, however, from personal observation and study, that even in this field there is a great chance for saving. There are many things in the curricula of our schools which can presently be eliminated without serious impairment of the educational opportunity. There are consolidations still possible that would involve great reduction in expense. And the endless process of splitting up and specializing supervisions does not always work for the weal of an enterprise. Reductions in salaries, if necessary, should be graduated, so as to fall least heavily upon the rank and file and most heavily upon the overhead and supervision.

Please understand me. I am not speaking dogmatically here. Expert opinion should be consulted and considered. I have this much of settled opinion on this subject, however: First, a real effort, in full recognition of our necessities and the precarious condition of our finances, will be productive of fruitful suggestions, and I believe that we can count upon the patriotism of the teaching profession to come forward with these once they recognize the realities of our difficult position; second, the suggestion frequently made that we rank fortieth or forty-first in schools is either

founded upon false standards or there is something radically wrong with our spending. No State which makes direct contribution to the cause of education in excess of the value of its principal crops can be accused, of niggardly policy, or of a lack of sympathy for the cause. With respect to our schools as with respect to our institutions of higher learning, the fullest measure of provision, consistent with our ability to raise revenue without oppression, should be given; but I cannot subscribe to the doctrine that the measure of a man's respect for ideals depends upon his willingness or unwillingness to preserve at all cost any particular salary standard.

#### (8) Local Government

In giving thought to possible reductions of governmental costs we must not overlook the field of local government. Experience has shown that its cost has risen more rapidly than that of the State, and that even the taking over by the State of particular functions has not always resulted in local savings. I do not charge this entirely to local error; I think all too frequently the State has neglected a great opportunity to serve. It is my thought that we should begin at once a real effort toward a sympathetic and coöperative supervision of local governments. Accordingly, I propose that the Legislature should enact at once statutes designed to accomplish the following:

- (a) Full opportunity for voluntary consolidations of counties through popular approval in every county affected.
- (b) Similar opportunity for consolidation between counties and cities or towns.
- (c) Provision for the consolidation of particular functions so that one officer may perform the same duty for both city and county at a saving to both.
- (d) The right of municipal board or boards of county commissioners to consolidate or eliminate statutory offices, and thus effect savings in operations.
- (e) A general statute eliminating any mandatory requirement of any particular office in county, city or town.
- (f) A general statute providing that all municipal salaries fixed by the General Assembly should be interpreted as establishing a maximum only, so as to facilitate local reductions when desirable or necessary.
- (g) A provision for a supervision of expenditures and tax levies by governmental subdivisions, through the local Government Commission, and along the lines of the present supervision of debt creation. The principle of publicity after departmental checking of increased tax levies could be utilized to hold down extravagant tendencies.
- (h) A comprehensive plan of sympathetic assistance by the Commission in working out something of relief through extension of debt maturities. There is grave danger of an increase of municipal defaults, and these have unfortunate reflections in our State situation.
- (i) A simplification and reduction of the cost of tax foreclosure. Present practices are nothing short of oppressive.
- (j) Real consideration of possible plans of foreclosure postponement of back taxes should be given to the end that, if practicable, a reasonable scheme of sale postponement, without loss of liens may be formulated. I have no reference to this year's taxes. We are trying to start a new deal.

There is here no fault of invading the province of local self-government, but only to provide a supervisory restraint upon extravagant tendencies. A similar proposal has been made by Governor Roosevelt of New York. It must be remembered, too, that these subdivisions are the creatures of the Legislature, and that in providing supervision the Legislature is but safeguarding the power which it has itself granted.

## Discontinuance of Unrestrained Fee Expenditures

As a relic of the past we have still, in certain departments the practice of expenditure of fees without budget control. I favor the discontinuance of this and the requirement that all fees collected be turned into the general fund and all expenditures of each department be upon a budget basis.

#### Agricultural Improvement

It is, perhaps, unnecessary for me to say here anything with reference to the need of agriculture for every possible consideration. There is little in the way of legislation which can be done to improve the situation. I do wish this General Assembly and the people of North Carolina to know that I am genuinely interested in and firmly determined to do whatever possible to help this situation. The "Live-at-Home Campaign" of the past four years has meant much more than was anticipated and has helped immeasurably to soften the blow of our present economic crisis. desire to lend every possible encouragement to a continuation of this activity. I am convinced, however, that the natural follow-up to this campaign is a campaign for more livestock, dairying and poultry in North The need for developing activities along this line is manifest when we consider that according to the census of 1920 North Carolina, with unexcelled possibilities, was next to the lowest State in the Union in livestock production.

And though we have made some progress in this respect we are still far down the list of States in rank. It has been pointed out that the Northern agricultural states have a great advantage in per capita income over the Southern agricultural states, and this advantage is largely because of superior development of the live-stock industry. I shall welcome the chance to assist in an effort to bring about a substantial improvement in this situation in the next years, and I urge upon the membership of this Assembly the utilization of every opportunity to assist in this movement.

#### Commendation for General Assembly

May I not commend this General Assembly for having, even in the brief period of its service, manifested a fixed determination to hold down expenses and expenditures. Under the splendid leadership of your presiding officers you will no doubt continue your efforts for real, constructive service to the State. Let me assure you that at no time will you be able to discover in me the slightest desire to usurp any legislative function or to encroach upon your prerogatives, but only an earnest wish to coöperate with you in the solution of our common problem. When all is said and done, the responsibility of matching tax provision with tax expenditure is yours, and I am quite confident that you will make expeditious progress towards the ac-

complishment of this balance. I am quite certain that nothing could happen in North Carolina which would give more heart to its struggling people and more strength to its credit than the expedition by this Body of its consideration of the revenue, machinery, and appropriation bills.

There are other matters about which I may wish later to give you my opinion, or I may reach the conclusion that some matters herein should be discussed more elaborately. I have endeavored in this to set forth general principles, and this message has also been prepared under the handicap of personal illness.

#### An Appeal for Harmony

One thing more, and I am through. In times like these it is inevitable that there should come to us wild and baseless rumors of cynical and unfriendly alliances. To believe is to discount essential patriotism and to court disaster. To all such I have invariably turned a deaf and disbelieving ear. May I say this much further with reference to such suggestions?

If there are minds bent upon the mischief of unthinking opposition and policies of negation for mere negation's sake I do not know them. If there are hearts which cherish in the face of the State's tremendous need and the challenge of this pregnant hour, the petty animosities of past political conflicts, I shall not permit myself to be embroiled or embarrassed by them. If there are lances raised and shafts aquiver to spend themselves in frustrating our efforts merely for the joy of frustration or the advancement of personal or political prestige, I refuse to see them. The good God is my witness that I come to this moment with no sense of personal triumph or exaltation, that I am actuated only by the desire to serve my State well in its hour of need; to bind up party wounds, if wounds there be; to build in the land we love an enduring harmony, to take the good and great in every suggestion from whatever quarter it emanates, to bend in gentleness the combined and ultimate patriotism of the entire citizenship to the service and salvation of the Commonwealth. Ladies and gentlemen of the Assembly, there is war-economic war-ahead; yea, it is even now upon us. There confronts us at this hour a peril as deadly, a conflict as momentous, as any which, in stirring days passed, has summoned Carolina's sons to arms. In such an hour he who prates of petty quarrels wastes precious time in nothingness; he who puts personal advantage ahead of the State's good serves the cause of the enemy and brands himself traitor to his sovereign mother. I welcome the chance to work with you in high and unselfish endeavor. With hearts aflame and minds alert, let us go forward. We do battle for a holy cause. We shall triumph over our adversities only as and because under God we deserve to triumph. There is inspiration in the knowledge that we do battle for North Carolina.

#### ADDRESS

OF

#### GOVERNOR JOHN C. B. EHRINGHAUS

DELIVERED BEFORE A JOINT SESSION OF THE

House of Representatives and the Senate

of the

STATE OF NORTH CAROLINA

Monday Night, March 13, 1933

(See Page 396, House Journal)

Mr. President, Mr. Speaker, and Members of the General Assembly:

Last week I suggested to you my desire to come before you, and in this connection asked that you postpone the consideration of your revenue and appropriation bills for a brief season. At the time the country was in the midst of the greatest banking crisis of this generation, and until this situation had clarified itself it seemed inadvisable to take up these matters. Happily, the national crisis seems now well in hand and we are apparently on the road to the restoration of normal banking activities. In this connection it is pleasant to recall that North Carolina was the last of the states to go on a holiday, which is the surest indication of the essential soundness of her banking structure. Through the emergency banking legislation which has been recently proposed and promptly enacted by you, we have been able, as well, to keep exactly abreast of the developing national situation and not only coördinate our efforts with those of the Federal Government, but avoid the confusion which has existed in some other commonwealths. With this behind us, and with the increasing spirit of optimism and confidence which pervades the country, we can turn our attention to our own immediate problems.

My coming before you now has in it no purpose to coerce, but only a sincere desire to help you in solving the difficult problems which still perplex us and which hold you in session beyond the usual time. It has been delayed not by want of willingness to express my views, but in order to give full opportunity for the development of yours, and only the manifestly increasing divergence of these and the importance of an early adjustment have brought me to the point where it seemed advisable that I again address you. For however inconvenient and distressing it may be, the duty to see this thing through and see it through now rests upon every one of us. It is the task to which we were called, the work which we voluntarily assumed, the trust that a popular mandate has imposed upon us. It can neither be delegated nor deserted. It is relentless in its demands for immediate and patriotic consideration.

In my inaugural message I attempted to direct your attention to the necessity for a balanced budget and stern economy. In aid of this I endeavored to point out certain possibilities in readjustments and consolidations. Your attention was also invited to the whole field of governmental activities, to the end that all possible might be done in the way of eliminating unnecessary expenditures and the avoidance of new taxes. Through

your committees and as individuals you have given much thought and effort to this enterprise, and, as a result, certain outstanding legislation along this line now is on our statute books.

The work of your Appropriations Committee, the original Budget Commission Appropriation Bills and the substitutes prepared by some of your prominent and diligent members, along with various programs for balancing the budget, are all now before you. You have as well various suggestions for supplementing the diminishing revenues of the State, with all of which your membership is thoroughly familiar and with regard to which, in most instances, opinions are well developed and members ready to vote. Perhaps it would not be amiss to endeavor for a moment to get our bearings, or rather to restate the problems we face.

Our debt-service requirements for each of the next two years, exclusive of any payment on our accumulated current deficit, will exceed four and a quarter million dollars. If we are to prepare to retire the deficit in ten years, as is usual in such cases, an additional million would be expected.

Our departmental and institutional expenditures have been greatly reduced from the peak of about nine millions, but on the basis of your Appropriations Committee's recommendation (after a reduction of over twenty-five per cent under last year's spending and nearly sixty per cent under peak spending) still require about five millions. Our annual and irreducible burden of highway bond maturities and interest thereon aggregates approximately nine millions, which, when deducted from a reasonably estimated highway revenue of fifteen to sixteen millions, leaves from six to seven millions, at the outside, to maintain our 55,000 miles of State highways and county roads and do the work that heretofore has required nine to ten million dollars. In view of the monthly decline in gasoline revenue since last July and the terrific falling off in the automobile license issues, there is no substantial hope of realizing the seventeen millions used as the basis of certain programs, and certainly none of having any substantial surplus which could be diverted to other usage, even if such were proper or desirable. And when we recall that there is in the highways an investment of some two hundred millions which inadequate maintenance would seriously and immediately jeopardize—that a few months neglect could really cause a loss of many millions—the futility as well as the folly of expecting help for other activities out of the highway fund is manifest. Frankly, any cutting of maintenance below the level of your Appropriations Committee's provision involves a serious threat to this great investment and activity of the State, and I again urge that this Assembly move slowly and cautiously along this line and refrain from taking a step which might work an irretrievable hurt and an inestimable loss.

The obligation to maintain our schools arises out of the Constitution, the fundamental law that governs us all. You will find it set forth not only in the declaration of rights, but in the opinion of our fathers, education was of sufficient importance to demand a special article (Article IX) in the Constitution. Here the duty to provide "by taxation and otherwise for a general and uniform system of public schools wherein tuition shall be free" is mandatorily placed upon the General Assembly, and the further provision that certain schools "shall be maintained at least six months in every year" is here written.

Our six-months term cost the State last year, in direct provision, approximately sixteen and a half millions. This does not include, of course, the aid to extended term given by the State, for which one and a half millions were appropriated and \$875,000 actually expended. Prudent estimates indicate that our present revenue bills, exclusive of the 15-cent levy which we are pledged and in honor bound to relieve, would yield approximately sixteen millions. Any estimate beyond this is, in my judgment, too high, as not making sufficient allowance for shrinkage, particularly in income and franchise yields. The highway possibilities, as already noted, should be cautiously placed at fifteen millions. There is no reasonable possibility of recoupment from this fund, even if it were desirable or consonant with our past pledges. Your Finance Committee bills, exclusive of sales tax provisions, after careful checking, I am informed, cannot be prudently counted upon to yield in excess of seventeen millions. How, then, without a sales tax or some equivalent income producer, is the prudently estimated revenue total of thirty-one millions under present, and thirty-two millions under proposed revenue bills, to meet, exclusive of schools and road maintenance, revenue necessities of four and a quarter millions for debt service, five millions for departments and institutions, nine millions for highway debtservice, and one million for application to our accumulated deficit-a total of nineteen and a quarter millions?

Deducting this nineteen and a quarter from the two revenue proposals, leaves a balance available for schools and road maintenance under the present law of eleven and three-quarter millions, and under the committee bills of twelve and three-quarter millions, and nothing whatsoever left as a cushion or safety margin to absorb any shrinkage that the times may reasonably be anticipated to develop. This is highly essential in any plan of sound and assured budget balancing. It would seem that without the sales tax provisions, and upon the basis even of their scant provision, each and every plan of budget balancing so far proposed is headed towards another deficit.

A moment's consideration of these figures makes manifest, also, the impossibility of balancing our budget without additional revenue in substantial sum or doing one or more of the following things, namely: crucifying the credit of the State by failing to provide funds to meet its bond maturities; crucifying the schools by providing only a skeleton six-months term and assuring thereby the collapse of our educational structure; crucifying the highway system of the State; or crucifying the various State institutions and necessary departmental activities of the State.

Let us not deceive ourselves. There isn't anybody who seriously thinks the credit of the State can be maintained by ignoring, as some propose, our maturing obligations, general or highway, or that the Executive could, under such circumstances, float a bond issue covering our present deficit, much less accomplish refunding of those so neglected. We would pay the price and suffer the penalty of such default for generations. There isn't anybody who seriously thinks the 55,000 miles of State highway and county roads can be maintained on much less than the Appropriations Committee's provisions for this work. There isn't anybody who seriously thinks the schools can be maintained in any sort of efficiency, even for six months, on the starvation wage of ten million dollars, or that the abandonment of

extended term levies without State provisions does not mean a complete breaking down of our educational system, and the crucifixion of the child opportunity in North Carolina. There isn't anybody who seriously thinks that the State departments and institutions, which for weeks since your assembling have been subjected to severest examination and scrutiny, can adequately function on less than the committee bill provides.

My friends, we are facing a collapse of our highway, educational, institutional, and governmental activities. We cannot ignore the challenge to preserve them; we cannot forget the constitutional obligation that rests upon us to "carry on."

I believe in economy—drastic, rigid economy. I have preached it. I have practiced it. I shall continue to advocate it. I shall continue to stand against wastefulness and extravagance in any activity. But there is a point, even in economy, beyond which self-respecting government cannot go. For to do so means not merely an abdication of its functions, but social bankruptcy, collapse of morale, and repudiation of our constitutional, social and political obligations. Government must make reasonable provision for the activities contemplated by its Constitution, or it surrenders and invites the scorn and contumely of its citizens and the world at large.

We are not dealing here with the loss of homes and firesides through tax foreclosures. We are doing and will continue to do everything possible to prevent these; and this Legislature has made substantial strides in that direction. Indeed, the plan hereinafter proposed will afford the greatest relief ever given by government to property owners and the broadest protection against foreclosures through abandonment of heavy taxes against them. We are simply facing a terrific emergency and the manifest necessity for the levy of some new taxes if the schools and the State's credit are to be saved from utter wreckage. A six-months term with no chance for extension is a poor educational opportunity at best; inadequately financed, it is a delusion, a snare, an utterly unjustifiable waste and extravagance.

Again, a very few thousands, which in the general scheme of economy amount to little, may bridge the boundary between life and death—may prove the salt that will save the University, the Board of Charities and Public Welfare, and kindred activities.

In such dilemma our thoughts turn naturally to the sales tax field as the one most usually discussed. If you know a better way through which a sufficiency of revenue may be produced, and which will not destroy our homes or cripple our activities, in the language of the street, "Go to it!" Frankly, under our present constitutional limitations, I do not. The prerogative of choosing methods, however, is yours. I can only beg that you follow the one which in your judgment will rest less heavily on the lives, the habits, and the activities of our people. My concern is adequate though economical provision and an unmistakably balanced budget.

You will permit me in passing to observe that I am quite sincere in saying that I loathe either form of sales tax, but I love the honor and credit of my State, and the maintenance of its self-respect more even than I dislike such impositions. There are some things more odious, more undemocratic, more objectionable even, than this form of taxation. They at least have the

virtue of universal application and something of relation to ability to pay, if spending has reasonable relationship to income.

In campaign declarations on this question I have invariably coupled my opposition to such taxes with the statement that they were justifiable only as temporary and emergency measures, to save the credit of the State or keep going its essential activities. That moment has apparently arrived. If it is a choice between a sales tax on the one hand and a decent school on the other, I stand for the school. God helping me, I can do no otherwise.

Besides, we have secured credit extensions to the State under the assurance of budget balancing beyond cavil or dispute. Our good faith is pledged; budget balancing is imperative. The suggestion that in such insistence we are worshiping a fetish is unwarranted; we do but indulge the honorable impulse to make reasonable effort to pay our debts. Surely there is no disgrace in this. It is the other road which leads to shame and dishonor.

Having seen that some form of sales tax, or other new tax providing substantial yield, is inevitable if we are to discharge our obligations to the essential activities of the State (including an adequately financed sixmonths term) and save its credit, I am impressed that an opportunity is here presented which this General Assembly cannot afford to ignore, and I have come unhesitatingly to that conclusion.

I earnestly beg, therefore, that this Legislature establish a State-wide uniform State-controlled school system; that you abolish immediately all local levies for extended terms and all special tax and charter districts, save only for debt service; that you appropriate for the conduct of this school such sum as will make, on a basis of real economy in administration and conduct, reasonable provision for it; that you set up a board with wide and plenary powers that will administer this fund so as to carry on in North Carolina a school for a full eight-months term, or as near it as the funds available will permit; and that this fund, as all others, be subject to budgetary cuts if revenue realizations should not match expectations.

This board should be vested with ample powers to work out economies in curricula, teacher load, regulation of repeaters, and other similar administrative matters, in order that our people may be provided with the very best schools our presently limited resources will permit and our constitutional obligations may be discharged.

It is my sincere belief, and in this opinion I am supported by many who have carefully studied this question, that, with the savings and economies I have in mind, this can be done on an appropriation which is comparatively little—roughly, ten or eleven per cent—above the fourteen million fifty thousand dollars provision of the original budget bill for school aid and considerably below not only the provision of the last Legislature for State aid to schools, but also below the actual spending last year in aid of the sixmonths term under that bill, which totaled \$16,375,000.

Such a step would immediately relieve property, not only of the 15-cent levy (which is our solemn pledged and inescapable duty), but also of an additional average of 20 cents for a total average of 35 cents, and would thus work a saving not only of millions to the State government, but also of more millions—approximately seven million—to the counties, cities, towns, and districts by the elimination of all special-tax levies for school support. It would be the greatest economy, the most constructive and far-reaching

step in behalf of our people and in relief of their homes and farms, afforded any people in modern times; would place North Carolina in the forefront of states, not only in accomplished economies and ad valorem relief, but in the field of education as well; would afford an infinite relief to the property owners throughout the State from the spectre of tax foreclosures so constantly haunting them, and would give also a breathing spell to our presently burdened business activities. Everyone would share in the benefit. Even the merchant, through relief of his stocks from ad valorem levy, would profit infinitely more than he could possibly lose in any necessity to absorb a part of the new tax levy. At least, too, even if budgetary cuts should later prove necessary, we could preserve the skeleton of an eight-months term and the child opportunity which our Constitution, or traditions, and our political promises contemplate.

To the suggestion that a new tax can be avoided by further slashing of appropriations, I would say that we could save more money by closing down all operations and activities; but what would become of our self-respect, and how could we square such action with the obligation to maintain, which our Constitution imposes? And the curtailment of provision below a certain point means, in almost every case, an inadequate functioning, which is waste. And if it be said that a sales tax, if such should be adopted, will bring a storm of protest, I would observe that so far the protest has come largely not from those who will pay, but from those who in the main will only collect. We can take steps to see that the fullest possible opportunity to pass on the tax is provided, and the relief which this class will receive under ad valorem abandonment will more than compensate for the part which it will be compelled to absorb.

I can see the possibility of a mistaken judgment, but I think I know the hearts of our people. Just now they are burdened and sorely oppressed primarily with property taxes. We are proposing to relieve these. I am one of those who think that if their homes are secured they will proudly pay their pennies rather than permit the destruction of that which is near and dear to their hearts, namely, their children's opportunity. Be assured also that the storm of such protest will be as nothing compared to the storm which the failure to provide will assuredly provoke, if not now, then very soon—a storm whose relentless waves will be beating upon our political fortunes for years to come.

There is another side to this proposal, which to me is particularly appealing. Here is a real chance to establish in our schools that equality of opportunity between the city and the country boy and girl of which we "long have dreamed and oft despaired of."

And lastly, we may as well face the facts. The present system of extended terms through ad valorem tax has completely broken down. It cannot continue through this year, much less the years to follow, and unless the system here proposed is adopted the educational structure of our State will collapse.

I have been told that the cause for which I speak is dead; that the fight is already lost in this General Assembly. I do not believe it. Those who so express themselves mistake the temper of its advocates and the views of the great rank and file of the people throughout the State. We who would preserve our essential institutions and activities are not alarmed. We have not

yet begun to fight. The people will rally to our support, and our cause will triumph.

We are facing a new day. The country, which for so long has staggered under a terrific depression, has now, under the exalted and inspiring leadership of our President, set its face towards the rising sun. The optimism which is becoming increasingly wide-spread has even suggested in some quarters the possibility of an extra session in the future to keep step with the advancing prosperity. In the tasks which confront you in this General Assembly there is challenge to our capacities, our courage, and our patriotism. We must, of course, practice a diligent enterprise towards economy, but let us not surrender to a philosophy of fear or adopt a demeanor of despair and defeatism. These problems are not of our creating. Perhaps we had nothing to do with the making of the debts which now weigh heavily upon But ours is the present responsibility to provide, and, please God, we shall measure up to it, and that without neglecting provision for necessary State functions. We cannot all have our way. Legislation necessarily contemplates the submergence and accommodation of conflicting views. I am ready to submerge my own, as this message shows. I am persuaded that in the plan here offered lies real opportunity for early adjustment of opinion differences and a chance to get back to our routine lives.

One thing more and I am through. If a sales tax is levied, it should be levied with the distinct understanding that it is an emergency measure, adopted for the period of the emergency, to save the State's credit and keep going its essential activities. I believe it should be ear-marked for schools, as our highway revenue is ear-marked for road purposes, and with this understanding I have no fears of its ready and cheerful acceptance by our people.

Briefly, my proposals are these:

- 1. Preserve the credit of the State by balancing the budget, even at the cost of a sales tax; and make sure provision to keep it in balance or prevent an imbalance by making all appropriations subject to budget cuts.
- 2. Preserve the school opportunity in economy by the provision of a lump sum, with a board to administer it, as hereinbefore pointed out.
- 3. Preserve the homes of our citizens from the foreclosures which present ad valorem taxes threaten, and reduce the tax load which now weighs heavily upon them, by abolishing special levies for support of extended term.
- 4. Preserve the highways and our great investment therein from the waste and losses which inadequate maintenance provision would certainly entail.
- 5. Preserve our institutions and departments from the destruction which too heavy curtailment threatens, to the end that they may continue to serve our citizenship and prepare the youth of our land for better service to the State.

On this rock we shall build our State, and the forces of ignorance, inequality, depression, and despair shall not prevail against it.

#### MESSAGE FROM THE GOVERNOR

To the Members of the General Assembly:

May I not, in these closing moments of your 1933 Session, express to you collectively, as I have tried to do to many of you individually, my sincere appreciation of the splendid work which you have done in the most difficult days of modern times? It has been particularly pleasing to me to note that through differences of opinion were freely expressed, there has been an almost universal regard for the rules of good sportsmanship and recognition of the essential patriotism which was behind them. This is altogether healthy, and though each of us may find in the final results things that are not exactly to our liking, the sum total of your accomplishment is, in my humble opinion, a splendid contribution to the welfare and progress of the Commonwealth.

In the first moments after adjournment there may be something of misunderstanding, but time will bring to the people an ever-increasing conviction of the essential righteousness of what has been done and approval of the course which you have pursued. For time will show, as nothing else, that you have wrought a substantial economy, a substantial reduction in tax burdens upon property, a preservation of the essentials in our civilization and the fundamentals of our economic and social progress. No government on the Continent can surpass your record of achievement in economy, and yet you have pioneered in making North Carolina the first State in the American Union to guarantee to every child within its borders an eight months school term at State expense.

And last, but by no means least, by provision for a real and unmistakably balanced Budget, you have preserved the credit of the State in the most difficult time within our memory and given proof once more to the world of North Carolina's high regard for its good faith pledged and determination that its honorable obligations shall be honorably met.

It has been a pleasure for me to coöperate so far as possible with you in the labors which have engaged our attention, and individually as well as collectively you will depart with my admiration, respect and very sincere good will. It is for those of us who remain here in office after you have gone to carry on according to the pattern which you have fashioned.

In ancient Rome at the beginning of a gladiatorial contest the gladiators stood before the Emperor and gave the pledge: "Hail, Caesar, we who are about to die salute you!" In the presence of this splendid General Assembly which is now approaching its dying moment, those of us who are left behind would reverse the ancient pledge and say instead: "General Assembly, we who live on in service of the State when you have gone, salute you!" You are entitled to and will receive a faithful effort to carry out the provisions for the conduct of the government which you have made and the plaudits and commendation of the people whom you have so well served.

(Signed) J. C. B. EHRINGHAUS,

Raleigh, May 15, 1933.

#### HOUSE RESOLUTIONS

RESOLUTION TO AUTHORIZE AND DIRECT THE STATE TAX COMMISSION TO FURNISH A STATEMENT OF THE INDEBTEDNESS OF THE VARIOUS COUNTIES OF THE STATE NOW IN DEFAULT.

Be it resolved by the House of Representatives:

Section 1. That the State Tax Commission be, and it is hereby requested to furnish this House as soon as practicable, a complete and accurate statement of all the indebtedness of the various counties and other local government units of this State which are now in default as to either principal or interest, such statement to be itemized according to counties and to show each item now in default and the dates on which such defaults occurred.

Sec. 2. That this resolution shall be in force and effect from and after its adoption.

Read and adopted on this January 10, 1933.

RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF NORTH CAROLINA REQUIRING THE CORPORATION COMMISSION TO FURNISH A SCHEDULE OF REASONABLE MAXIMUM RATES APPLICABLE TO ELECTRICITY, TELEPHONES AND GAS TO BE CHARGED BY PUBLIC UTILITIES IN NORTH CAROLINA.

Be it resolved by the House of Representatives:

Section 1. That the Corporation Commission be and it is hereby required to furnish the House of Representatives on or before February 15, 1933, a schedule of reasonable maximum rates for electricity, telephones and gas to be charged by public utilities in North Carolina if enacted by the Legislature.

Sec. 2. That this resolution shall be in force from and after its adoption. Read and adopted this January 20, 1933.

HOUSE RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE AND REPORT A
PLAN FOR CONSTRUCTIVE COÖPERATION BETWEEN STATE AND FEDERAL AGENCIES
IN THE DISTRIBUTION OF FEDERAL AID TO UNEMPLOYED.

Whereas, Federal aid now being extended to unemployed in the State of North Carolina is, in most instances, timely and necessary for the subsistence of many of our people, yet the manner of its giving might in some instances stimulate the recipients to productive effort instead of reducing them to mere subjects of charity;

And whereas, non-employment is constantly eating into our reserved supplies of food, with the ultimate and inevitable rise of prices to a point beyond the reach of the poor;

And whereas, there are vast uncultivated areas in North Carolina where with aid unemployed might produce not only sufficient food for themselves and their families, but also a surplus for the general need: Now, therefore,

Be it resolved by the House of Representatives, That a committee of three be, and they are hereby appointed to make investigations and recommendations to this Assembly, which recommendations if so made shall be in the form of a bill, to provide for an agency, and the basis upon which it shall proceed, to bring about a coöperation between the State and the Federal Governments so that the contribution made by the Federal Government shall be used to stimulate productive activity on the part of the recipients wherever possible for the production of food on lands made available through agencies of the State.

That the Speaker of the House shall appoint three members of the Committee, and the President of the Senate two.

This Resolution shall be in force from and after its adoption. Read and adopted this January 27, 1933.

HOUSE RESOLUTION GIVING OFFICIAL RECOGNITION TO THE WORDS AND MUSIC OF OUR STATE TOAST.

Whereas, Mrs. Mary Burke Kerr of Sampson County, North Carolina, has recently set to music the North Carolina Toast "Here's to the Land of the Long Leaf Pine," etc., and has dedicated this musical composition to the school children of North Carolina; Now, therefore

Resolved by the House of Representatives:

Section 1. That official recognition is hereby given to the toast and to Mrs. Kerr's setting to music the words of this beautiful poem.

Sec. 2. Be it further resolved that Radio Station WPTF in Raleigh is hereby requested to broadcast this musical composition so that the people of North Carolina may become acquainted with the toast as set to music.

Sec. 3. That this resolution shall be in full force and effect from and after its adoption.

Read and adopted on this February 4, 1933.

RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT ATTENTION IS CALLED TO HONORABLE JOSIAH W. BAILEY AND HONORABLE ROBERT R. REYNOLDS, SENATORS IN THE CONGRESS OF THE UNITED STATES FROM NORTH CAROLINA, ATTESTING TO THE FITNESS OF "BLIND" JOHNSON, WHO ASPIRES TO BE AN ASSISTANT DOORKEEPER TO THE UNITED STATES SENATE:

The House of Representatives of North Carolina do respectfully call to your attention the fitness and qualifications demonstrated by long and faithful service as Doorkeeper of the House of Representatives of North Carolina, and your good effices are requested to the extent of trying to secure a position for Johnson as an assistant doorkeeper of the United States Senate.

Read and adopted on this March 7, 1933.

RESOLUTION REQUIRING THE INSURANCE COMMISSIONER OF THE STATE OF NORTH CAROLINA TO FILE WITH THE PRINCIPAL CLERK OF THE HOUSE OF REPRESENTATIVES HIS DECISION UPON THE PETITION OF THE INSURANCE CARRIERS WRITING COMPENSATION INSURANCE IN NORTH CAROLINA, TO INCREASE THE COMPENSATION INSURANCE RATES.

The General Assembly of North Carolina do Enact:

Whereas, prior to October 5, 1932, there was a petition filed by the various insurance carriers writing compensation insurance in North Carolina with

the Insurance Commissioner requesting an increase in the rates varying from fifteen to twenty-seven per cent and involving between \$400,000 and \$600,000 additional insurance tax upon the manufacturers of North Carolina, and

Whereas, on October 5, 1932, a hearing was had before the Insurance Commissioner, continuing through several days, at which hearing evidence was offered in support and against said petition, and

Whereas, up to this time no decision has been rendered by the Insurance Commissioner, and

Whereas, at a hearing before the Senate Insurance Committee on March 21, 1933, the Insurance Commissioner stated that he had his decision ready to be handed down but was awaiting some action by the Legislature, and

Whereas, there is no provision in the statute for an appeal from the decision of the Insurance Commissioner in the event that the rates should be increased after the Legislature adjourns, and

Whereas, it is necessary from the standpoint of the employers of North Carolina to know whether or not the compensation insurance premiums will be increased during the next two years in order that they may procure through the Legislature such remedial legislation as may be necessary in the event of such increase: Now, therefore,

### Be it Resolved by the House of Representatives:

Section 1. That the Insurance Commissioner be and he is hereby required to file with the Principal Clerk of the House of Representatives on or before Wednesday night, March 27, his opinion upon the petition by the insurance carriers for increased insurance rates on compensation insurance.

Sec. 2. That the Principal Clerk of the House of Representatives be and is hereby required to immediately deliver to the Insurance Commissioner a copy of this Resolution.

Sec. 3. That this Resolution shall be in full force and effect from and after its adoption.

Read and adopted on this March 27, 1933.

RESOLUTION AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO APPOINT A CALENDAR COMMITTEE TO CONSIDER BILLS REFERRED TO SAID COMMITTEE.

Be it Resolved by the House of Representatives:

Section 1. That the Speaker of the House of Representatives be and he is hereby authorized to appoint a Calendar Committee, composed of five members of the House, to consider and report on any and all bills which may be referred to said Committee.

Sec. 2. That this Resolution shall be in force from and after its adoption.

Read and adopted on this March 28, 1933.

HOUSE RESOLUTION TO REQUIRE THE COMMISSIONER OF BANKS TO FURNISH THE GENERAL ASSEMBLY THE NAMES OF ATTORNEYS EMPLOYED BY SAID COMMISSIONER, THE NATURE OF THEIR EMPLOYMENT AND THE TOTAL FEES PAID SAID ATTORNEYS, THE NAMES OF AUDITORS EMPLOYED BY THE SAID COMMISSIONER AND THE TOTAL FEES PAID SAID AUDITORS FOR THE YEARS 1931, 1932 AND 1933, AND IN ADDITION THE FEES CONTRACTED TO BE PAID TO THE SAID ATTORNEYS AND AUDITORS.

### Be it Resolved by the House of Representatives:

Section 1. That the Commissioner of Banks be and is hereby directed to file in the office of the Chief Clerk of the House a statement showing the names of all attorneys employed by the Banking Department in connection with the liquidation of such banks, together with the names of all the accountants employed in connection therewith, said statement showing the amount paid said attorneys and the accountants for the years 1931, 1932 and 1933; and said statement shall further show the amount of fees contracted to be paid said attorneys and auditors for all banks now in process of liquidation.

- Sec. 2. That this statement shall be filed in the office of the Chief Clerk of the House on or before the 26th day of April, 1933.
- Sec. 3. That this resolution shall be in full force and effect from and after its adoption.

Read and adopted on this April 21, 1933.

RESOLUTION REQUIRING THE COMMISSIONER OF BANKS TO FURNISH THE GENERAL ASSEMBLY THE NAMES OF ATTORNEYS AND ACCOUNTANTS EMPLOYED BY THE BANKING DEPARTMENT DURING THE PAST TWO YEARS, SAID STATEMENT TO SHOW THE AMOUNT OF FEES PAID BOTH TO ATTORNEYS AND ACCOUNTANTS DURING THIS PERIOD.

Whereas, the reply of the Commissioner of Banks in response to the Resolution of the lower House of the General Assembly asking for detailed information as to the conduct of his office in connection with the names of the attorneys and accountants who had been employed by his department during the last two years, and in addition the amount of fees paid to said attorneys and accountants during said period, was totally inadequate and unsatisfactory, and

Whereas, the North Carolina Association of Certified Public Accountants has offered to render to the members of the Legislature, free of charge, their services in detailing the information; now, therefore,

#### Be it Resolved by the House of Representatives:

- Sec. 1. That the Commissioner of Banks of North Carolina be and he is hereby directed to furnish the General Assembly the information called for in this Resolution.
- Sec. 2. That said Commissioner of Banks is hereby directed to submit to such members of the North Carolina Association of Certified Public Accountants such records as are necessary to furnish the information requested in this Resolution.
  - Sec. 3. That the North Carolina Association of Certified Public Accountants

is hereby authorized and empowered to proceed immediately to furnish the General Assembly with the information requested in this Resolution.

Sec. 4. That this Resolution shall be in full force and effect from and after its adoption.

Read and adopted on this May 2, 1933.

#### RESOLUTION OF THANKS

Resolved by the House of Representatives:

The sincere thanks of the Body and its employees are hereby returned to the Honorable Avery Thompson of the County of Columbus for the delightful feast of luscious strawberries grown on the soil of Columbus County, which were so thoroughly enjoyed and appreciated by those who accepted the invitation. Indeed, in the opinion of those who participated, it was a feast that would have excited the envy of Lucullus himself.

Read and adopted on this May 11, 1933.

#### RESOLUTION OF THANKS

Resolved, That the House of Representatives tender to Speaker Harris, Chief Clerk Thad Eure, and his assistants, and all the officers connected with the 1933 House of Representatives, its thanks for duties well performed, with the assurance that they take with them on their departure the love and good will of this House.

Read and adopted on this May 15, 1933.

# AMOUNTS PAID MEMBERS, OFFICERS AND EMPLOYEES OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, SESSION OF 1933

#### Organizing House

No. Days	Amount Mileage
Thad Eure, Former Clerk	\$ 28.00
Mrs. Annie E. Cooper, Assistant	18.00
W. A. Baker, Assistant	12.00
D. F. Batts, Assistant	12.00
	\$ 70.00
Speaker's Office	
No. Days	Amount Mileage
R. L. Harris, Speaker	\$ 700.00
Carolyn Winston Clerk	to be the consider to the
117 @ 5.00	633.00 \$ 5.60
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	\$1,333.00 \$ 5.60
Principal Clerk's Service	
No. Days	Amount Mileage
Thad Eure, Principal Clerk	
126 @ 6.00	\$ 868.00 \$ 27.00
	\$ 000.00 \$ 21.00
W. A. Baker, Journal Clerk	\$ 000.00 \$ 21.00

			Days	A	mount	Mileage
Mrs. Annie E. Cooper, Journal Clerk				æ	701.00	
D. F. Batts, General Clerk	125	_	$\frac{5.00}{6.00}$	\$	721.00	
D. F. Batts, General Clerk	125	_	5.00		721.00	\$ 13.00
Hubert Rand, Disbursing Clerk		-	6.00		121.00	Ψ 10.00
	118	-	5.00		674.00	1.20
Mrs. Eugenia Perry, Journal Typist	14	-	6.00			
	125	@	5.00		709.00	17.00
Nina Elliott, Journal Typist	8	@	6.00			
	118	@	5.00		638.00	27.60
Mary E. Powell, Journal Typist		@	6.00			
	125		5.00		673.00	
Clifford Smith, Calendar Clerk			6.00		20200	00.00
	118	-	6.00		686.00	22.00
	118	(a)	5.00		868.00	22.00
				\$6	3,411.00	\$107.80
Reading Clerk	c					
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John McKinnon	16	@	\$6.00			
	116	@	5.00	\$	676.00	\$ 18.00
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	N	0. ]	Days	Amount	Mileage
Albert Hughes, Chief	14	@	\$4.00		
	118	@	3.50	\$ 469.00	\$ 5.00
Robert Beam		(a)	2.50	325.00	25.60
		-			
R. D. Bumpass		@	2.50	325.00	5.60
James Currie		@	2.50	325.00	11.50
Beverly Johnson	130	a	2.50	325.00	.80
John J. Pegram	130	@	2.50	325.00	13.00
Luther Perry	130	@	2.50	325.00	5.80
Nick Posey	128	@	2.50	320.00	38.00
James Smith	130	@	2.50	325.00	17.80
Billy Seawell		0	2.50	325.00	2.80
Dilly bouncil	100	w	2.00	529.00	
				\$3,389.00	\$125.90
Sergeant-at-Arms Dep	part	nen	t		
			-		2
			Days	Amount	Mileage
C. M. Higgins, Sergeant-at-Arms		_			
	116	@	5.00	\$ 676.00	\$ 23.20
Ed C. Newton, 1st Class	7	@	3.50		
	100	@	3.00	324.50	17.50
J. C. Johnson, 1st Class	16	@	3.50		
	116	@	3.00	404.00	
T. W. Phillips, 1st Class	16	@	3.50		
1	116	@	3.00	404.00	38.80
C. F. Tankersly, 1st Class		_	3.50	101.00	90.00
C. F. Tankersty, 1st Class		@		959 50	4.00
11061 10410 10410 40416	116	6	3.00	372.50	4.20
Mrs. M. L. Weaver, 1st Class		@	3.50	all the second	
	116	-	3.00	362.00	
Moses McLean, 2d Class	16	@	3.00		
	125	@	2.50	360.50	
Joe Iredell, 2d Class	16	@	3.00		
•	118	@	2.50	343.00	
W. H. C. Levy, 2d Class	14	@	3.00		
	116	@	2.50	332.00	5.90
Henry Atwater, 2d Class		@	2.50	335.00	1.50
George Burroughs, 2d Class		_	2.50	177.50	1.00
		-			
Walter Alston, 2d Class		@	3.00	33.00	
N. B. Blount, 2d Class		@	3.00	33.00	
Tom Hines		@	3.00	33.00	
Reuben Gunter, 2d Class	2	@	3.00	6.00	
Walter Hicks	2	@	3.00	6.00	
				04.000.00	0.0110
The second second				\$4,202.00	\$ 91.10
Committee Cler	$\cdot ks$				
	N	0. 1	Days	Amount	Mileage
Mrs. Jerry Brown, C. C. and T			\$5.00	IIIO WIII	
seed, Joing Diown, O. O. and I	65	-	4.00	\$ 300.00	\$ 26.20
Mondo Colverd Florian Laws		-		•	
Maude Colvard, Election Laws	69	@	4.00	260.00	38.80

	N	o. 1	Days	Amount	Mileage
Alice Gray Flanagan, Public Roads	4	@	\$5.00		
	65	@	4.00	\$ 280.00	\$ 16.00
A. L. Fleming, Finance	8	@	5.00		
	116	@	4.00	504.00	
Edward Gray, Constitutional Amendments	4	@	5.00		
	65	@	4.00	280.00	
Rachel Marshburn, Judiciary No. 1 and 2	10	@	-5.00		
	97	@	4.00	438.00	11.20
Effie McInnis, Appropriations	8	@	5.00		
	97	@	4.00	428.00	26.60
Naomi Nachamson, Education	1	@	5.00		
	65	@	4.00	265.00	5.40
Richard Seawell, Senatorial Districts	65	@	4.00	260.00	1.70
Lula Satisky, Commercial Fisheries		6.	4.00	140.00	
Myrtle Baker, Sub-committee on Finance	23	@	4.00	92.00	
				P2 247 00	#195 00
Carmon care				\$3,247.00	\$125.90
Summary Departments			Dan	Diam and	Milana
Organization of the House				Diem and 70.00	Mileage
Speaker's Office					
Principal Clerk's Office				,	
Reading Clerk					
Engrossing Clerk's Office					
Pages					
Sergeant-at-Arms					
Committee Clerks	•••••	•••••		3,372.90	
Total				\$27,403.50	
· ·					
Membership					
Membership 119 Members @ \$600.00			·	\$71,400.00	
•					

#### Respectfully submitted,

THAD EURE,
Principal Clerk.

## INVENTORY OF OFFICE FURNITURE, DESKS, FIXTURES AND OTHER PROPERTY

## Principal Clerk's Office:

- 1 roll top desk.
- 1 flat top desk.
- 1 typewriter desk.
- 1 small table.
- 3 steel filing sections.
- 1 revolving oak desk chair.
- 1 large revolving chair.
- 1 small plain chair.

- 2 typewriter chairs.
- 1 waste paper basket.
- 2 wire baskets.
- 5 bill files.
- 8 clip boards.
- 1 steel combination bill case, with keys.
- A supply of rubber stamps.
- A small supply of blank forms.
- 1 costumer.
- Folders and index for filing case.
- 2 old numbering machines.
- 1 Ace clipping machine.

## In Journal Clerk's Office, above Principal Clerk:

- 1 mirror.
- 1 large table.
- 1 typewriter chair.
- 4 typewriter desks-small.
- 1 bowl.
- 1 pitcher.
- 2 waste baskets.
- 1 costumer.
- 1 wire basket.
- 1 bucket.
- 5 plain chairs.

#### Speaker's Office:

- 1 pitcher.
- 1 bookcase.
- 1 costumer.
- 1 flat top desk.
- 1 typewriter desk.
- 4 plain chairs.
- 1 upholstered chair.
- 1 typewriter chair.
- 1 clip board.
- 1 telephone.

#### In Front Lobby, Used by Disbursing Clerk:

- 1 flat top desk.
- 1 office chair.
- 1 small desk.
- 1 desk lamp.

## COUNTIES AND REPRESENTATIVES

## ALAMANCE COUNTY

Representative J. W. Gillain, Jr.:	GE
Sworn in	7
Committee assignments	30
Bills and resolutions25, 26, 43, 46, 55, 56, 70, 89, 103,	
109, 118, 230, 257, 291, 397, 398, 445, 468,	
523, 535, 558, 601, 612, 626, 706, 735, 745, 8	07
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Cane Creek church, relating to sale of beer near807, 8	39
Clerk of Court, to validate certain acts	41
Clerk Superior Court, to fix salary231, 2	48
County Commissioners, to fix compensation	06
Elon College, relating to sale of beer near	17
Game Law, to amend	54
to amend as to Alamance County	25
General County Court, to amend law111, 253, 271, 2	82
Graham, relating to inspection of meats	
to repeal public utility act535, 563, 5	77
Haw River, relating to meat markets in159, 218, 232, 248,	
626, 638, 682, 697, 8	28
Haw River Township, relating to pool rooms911, 922, 929,	
943, 984, 986, 9	93
Mebane, relating to school trustees	00
Officers, to reduce salaries	47
Oleomargarine, to tax	52
Primitive Baptist Associations, to prohibit sales near during Ses-	
sions	48
Providence Church, relating to grounds of	
Rural cemeteries, for improvement of	
Tax collector, to create	
ALEXANDER COUNTY	
Representative John F. Woodfin:	
	7
Sworn in	7
	30
Reports for committees	
Bills and resolutions48, 57, 268, 308, 318, 435, 511, 683, 695, 80	09

Local Matters:  County offices, to abolish certain		AGE
to fix compensation, etc		
Drainage assessments, relating to 511, 534,	,	
Drunkenness, to prevent		
Game, relating to closed season	,	
Special tax, to authorize		
Special tax levy, relating to		
Taylorsville, to refund indebtedness		
ALLEGHANY COUNTY	(U) (V)	
Representative R. A. Doughton:		
Sworn in		7
Committee assignments 26, 27, 28,		30
Reports for committees 50, 73, 87, 116, 133, 146, 288, 323,	,	00
369, 381, 407, 468, 474, 504, 515, 529, 552, 584,	,	
639, 653, 689, 720, 743, 789, 803, 840, 858, 920,		967
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324, 385, 397, 413, 458, 529, 558,		
613, 766, 797, 820, 862, 909,		968
Local Matters:		
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Courthouse, relating to bonds for458, 472,		
Registration books, relating to opening	65,	315
Roup, F. N., Justice of Peace, to validate acts398, 410,	426,	432
Shepherd, Sallie, to place on pension roll		123
Wilkes County, relating to boundary with613,	628,	<b>682</b>
ANSON COUNTY		
Representative F. E. Thomas:		
Sworn in		7
Committee assignments		29
Leave of absence		21
Reports for committees 183, 492, 581,		
Bills and resolutions		
Local Matters:	00 -,	
Martin, J. F., for the relief of	711.	730
to collect back taxes		
Sheriff, to fix compensation	666,	682
Taxes, to extend time for penalties		
ASHE COUNTY		
Representative T. C. Bowie:		_
Sworn in		7
Committee assignments		88
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Loc	al Matters:							1	AGE
	Auditor, Welfare Officer, and County	Ager	ıt, to	abol	ish		.130,	133,	143
	Board of Education, to fix number a	and t	erm				.130,	176,	189
	Bonded indebtedness, to prohibit i	urth	er		.131,	146,	155,	231,	
							246,	268,	282
	to refund							.140,	194
	Boundary line, to repeal 1931 act re	elatin	g to.			.130,	254,	269,	360
	Court stenographer, to employ						.131,	134,	143
	Depository, to designate						.148,	201,	215
	Elections, relating to holding of			.141,	220,	232,	238,	984,	992
	Game, to regulate open season for			.148,	760,	774,	781,	950,	976
	Recorders Court, to place county u	ınder	gen	eral	law				834
	Road Commissioners, to abolish							130,	208
	Sharpe, A. G., to take dental exam	inati	on					.785,	794
	Tax sales postponed, to ratify								
	Taxes, levy according to ability to								
	Veterans and widows, to place on I								
	AVERY CO	UNTY	111						
Rep	resentative W. G. Oaks:								
1000	Sworn in								7
	Committee assignments								29
	Bills and resolutions								861
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	Banks, relating to sale of deposits.						.781,	786,	830
	Confederate veteran's widow, to pla	ce or	pen	sion	roll.				663
	Courts, relating to								708
	to amend law relating to						277,	322,	415
	Dogs, relating to damage by					.394,	651,	667,	681
	Elk Park, for collection of taxes i								
	General County Court, to establish.								
	Primary Law, to exempt county fro								
	Tax sales, to postpone								
	Taxes, relating to collection of								
	, , , , , , , , , , , , , , , , , , , ,							,	
	BEAUFORT	COUN	ΓY						
-			Name of						
кер	presentative W. A. Thompson:								_
	Sworn in								
	Committee assignments						,		
	Leave of absence								
	Reports for committees								818
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	Agricultural liens, to fix recording fees	.165,	276,	285,	329
	Aurora School District, to appoint trustees			587,	681
	Bathing beaches, to regulate			792,	918
	Belhaven, to amend charter				
	Game, to protect				
	Pantego, to validate election				
	Schools, relating to extended term				
	Scrip, to authorize issuance				
	Seed cotton, to regulate sale of				
	Seine Beaches, relating to sanitary conditions				
	Stills, relating to reward for capture				
	Superior Court, relating to terms of 46, 49, 52,			,	
1.00	Tax sale certificates, relating to refunding				
	Thompson, L. S., Justice of Peace, to validate acts				
	Washington School District, relating to trustees of	923,	933,	953,	977
	That manage it contact at so drive				
-	BERTIE COUNTY				
кег	presentative C. W. Spruill:				
	Sworn in				
	Committee assignments		,	,	30
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	Aulander, relating to election	353,	492,	500,	562
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	Commissioners, relating to selection of	Infi		746,	871
	County officers, relating to salaries of 179,	203,	214,	378,	394
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	And they were the makes th	384,	493,	506,	637
	to create fund for			212,	264
	Highway Commission, to pay county road bonds			171,	228
	Tax penalties, to abolish				179
	sales, to validate 1930-31 postponements				
	Taxes, to allow 5 years to pay			48,	803
	to redeem land sold for 317,				487
	Windsor, to change boundary of				
	to fix corporate limits of 529, 652, 668,				
	to in corporate mains or sold, obs, obs,	0.0,	012,	000,	
113	BLADEN COUNTY				
Ror	presentative C. L. Braddy:				
rect	Sworn in				7
	Committee assignments				28
	Leave of absence		,		49
	Bills and resolutions				13
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	Beer, to prohibit sale in Frenches Creek Township	642,	965
	Bladenboro and Elizabethtown, to refund assessments708,	727,	
	735,		
	Brown Landing, relating to fishing at	768,	778
	Carver's Creek School District, relating to use of taxes	767,	796
	Commissioners, relating to election of		
	Confederate veteran's widow, to place on pension roll		469
	County game laws, to amend 853, 892,		977
	County officers, to fix salaries of 187, 203, 214, 276, 285,	297,	
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	Court, relating to terms of	271,	282
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	Home and farm demonstration work, relating to	356,	375
	Huckleberries, to regulate dealers in	284,	814
	Hydrophobia, relating to prevention		
	Kelly cemetery, to appoint trustees for		
	Property, relating to assessment of	761,	805
	Revaluation, relating		
	Sheriff, to regulate pay of	375,	885
	Slot machines, relating to		
	Taxes, relating to interest on delinquent	187,	804
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	to accept vouchers in payment of 187, 208, 219,	232,	304
	to validate sale of land for		
	White Lake, relating to speed boats on 266, 298, 361, 370,	376,	415
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	BRUNSWICK COUNTY		
Rep	presentative J. W. Ruark:		
	Sworn in		7
	Committee assignments	27,	29
	Leave of absence	162,	175
	Bills and resolutions 109, 136, 266, 277, 278, 317, 324,	384,	
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	Auditor, to employ assistants	876,	892
	Commissioners, relating to settlements with Board of Education	809,	829
	Confederate veteran's widows, to place on pension roll		601
	County Commissioners, to reduce number	365,	621
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	officials, relating to salaries	143,	390
	Dogs, livestock killed by		
	Fishing, to regulate		
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to extend time for tax sales	277,	352
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Tax collector, relating to	155,	225
Taxes, relating to collection of	278,	329
to provide economy in collection	180,	225
to an are in the second and the seco	- (100)	
BUNCOMBE COUNTY		
Representative Julius C. Martin: Sworn in		_
		7
Committee assignments		
Leave of absence		20
Reports for committees		717
Bills and resolutions		
163, 186, 211, 242, 257, 291, 292,		
396, 411, 564, 575, 612, 641, 683,	809,	821
Representative W. A. Sullivan:		
Sworn in		7
Committee assignments	28,	29
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Asheville, Police and Fire Department, to amend law 242,	275,	293
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628, 823,		965
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to amend Fireman's Board Act		
to authorize issuance of scrip		
to clarify election law		
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to relieve churches of street assessments		
School District, to amend 1931 act 530, 653, 672,		200
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Representative Francis Garrou:		
Sworn in		7
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CABARRUS COUNTY		
Representative Charles H. Graeber:	,	
Sworn in		7
Committee assignments	29,	30
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Representative F. H. Coffey:				
Sworn in				8
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Lenoir, relating to water system	1000			
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Pool rooms, to repeal law relating to				
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Representative L. L. Stevens:				
Sworn in				8
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itecorder, to his saidly of	100,	110,	100,	300
CARTERET COUNTY				
Representative Luther Hamilton:				
Sworn in				8
Committee assignments				
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and county, relating to tax discounts				
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CASWELL COUNTY				
Representative Robert T. Wilson:				
Sworn in.				8
Committee assignments				29
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		93,		
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Caswell County Historical Commission, to create	831.	852.	864.	918
Clerk of Court and Register of Deeds, to keep offices				
The same same same same same same same sam			890,	946
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court, to amend law				
Court, relating to terms of		101,	4 4 4 5	
Elections, holding of		,	,	
Foxes, to regulate hunting of				
Hunting, to regulate				
Justices of the Peace, to fix fees				
Long, Mrs. Jessie R., to place on pension roll				
Pelham church, relating to sale of beer near				
Prohibition Law, relating to enforcement				
Registration books, relating to opening				
Seining, to regulate				
Sheriff and County Accountant, relating to duties of				
Special tax, to authorize				
Taxes, to accept vouchers in payment of	1711			
Yanceyville, to define the limits of				
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CATAWBA COUNTY				
Representative Herbert L. Arndt:				_
Sworn in				8
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Maiden, to work prisoners 481, 533, 549, 552, 609,				
Medicine shows, to prohibit				
Officers, relating to fees of				
Tax collector, to appoint				
penalties, to remit part				
penarties, to remit part	021,	000,	000,	310
CHATHAM COUNTY				
Representative Victor R. Johnson:				
Sworn in				0
		27.		8
Committee assignments		,	,	29
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	706.	885.	922.	936
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Local Matters:  Confederate veteran's widow, to place on pension roll	elerge		0.0	535
Local Matters:  Confederate veteran's widow, to place on pension roll  Financial Agent, to amend law relating to	135,	139,	 151,	535 225
Local Matters:  Confederate veteran's widow, to place on pension roll	135,	139,	 151,	535 225
Local Matters:  Confederate veteran's widow, to place on pension roll.  Financial Agent, to amend law relating to  Tax sales, to validate	135,	139,	 151,	535 225
Local Matters:  Confederate veteran's widow, to place on pension roll  Financial Agent, to amend law relating to  Tax sales, to validate  CHEROKEE COUNTY	135,	139,	 151,	535 225
Local Matters:  Confederate veteran's widow, to place on pension roll.  Financial Agent, to amend law relating to  Tax sales, to validate	135,	139,	 151,	535 225
Local Matters:  Confederate veteran's widow, to place on pension roll.  Financial Agent, to amend law relating to  Tax sales, to validate  CHEROKEE COUNTY	135,	139,	151, 706,	535 225 732
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